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Human Rights Commission

City and County of San Francisco

Willie L. Brown, Jr., Mayor

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Regular Meeting Agenda

Thursday, June 14, 2001
4:30 p.m.
City Hall, Room 416
1 Dr. Carlton B. Goodlett Place

ROSTER OF COMMISSIONERS

Ghada Saliba-Malouf, *Chair*
Larry Lee, *Vice Chair*
Haig Baghdassarian
Shirley Dimapilis
Wilfred W. Hsu
Martha Knutzen
Leslie Littleton
Antonio Salazar-Hobson
Theresa Sparks
Charles L. Ward

Virginia M. Harmon, *Interim Director*

Toni A. Delgado, *Commission Secretary*

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KNOW YOUR RIGHTS UNDER THE SUNSHINE ORDINANCE

Government's duty is to serve the public, reaching its decisions in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This Ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review. For more information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the Ordinance, contact the Donna Hall at the Sunshine Ordinance Task Force, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102-4683; Office 415-554-7724; Fax 415-554-5163; E-mail: Donna_Hall@ci.sf.ca.us

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LEGEND: ☆ = Oral report, no attachment
☆☆ = Attachment provided
☆☆☆ = To be discussed at Commission Meeting

Items designated by "CC" shall automatically be approved, unless a request for removal for discussion or explanation is received from the audience, Commission or Commission staff.

Public testimony will be taken on each item. Public testimony is limited to three minutes.

ORDER OF BUSINESS

1. CALL TO ORDER

2. ROLL CALL

3. APPROVAL OF MINUTES

   a. Approval of minutes of Commission Meeting of May 24, 2001
   [➲Action Item ☆☆☆]

4. CIRCULATE GENERAL COMMUNICATIONS FILE

5. PUBLIC COMMENT ON ITEMS NOT ON THE AGENDA
   Members of the public may address the Commission on matters that are within the Commission's jurisdiction and are not on today's agenda. Public comment is limited to three minutes

CLOSED SESSION

6. EXECUTIVE SESSION
   a. Vote on whether to hold closed session to confer with Legal Counsel to evaluate a City employee
   [➲Action Item ☆☆☆]

   b. Closed Session to evaluate a City employee pursuant to subdivision (a) of California Government Code Section 54957 and San Francisco Administrative Code Section 67.10(b):

      IN RE: To evaluate Interim Director Virginia Harmon for Pay-For-Performance Program

7. RECONVENE IN OPEN SESSION
   a. Possible report on actions taken in closed session pursuant to Government Code 54957.1 and San Francisco Administrative Code 67.12.
   [➲Action Item ☆☆☆]

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b. Vote in open session on whether to disclose any or all executive session discussions pursuant to Government Code 54957.1 and San Francisco Administrative Code 67.12.
[➲Action Item ☆☆☆]

RETURN TO REGULAR BUSINESS

8. COMMISSIONER DISCUSSION OF MATTERS OF INTEREST FOR POSSIBLE INCLUSION OF FUTURE AGENDA ITEMS

9. ADJOURNMENT

All meetings are held at: City Hall, 1 Dr. Carlton B. Goodlett Place Room 416, San Francisco, CA 94102, unless otherwise stated

NEXT MEETING: THURSDAY, JUNE 28, 2001

LEGEND: ☆ = Oral report, no attachment
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☆☆☆ = To be discussed at Commission Meeting

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Human Rights Commission

City and County of San Francisco

Willie L. Brown, Jr., Mayor

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JUN 25 2001
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Minutes

Regular Meeting
Thursday, June 14, 2001

DRAFT VERSION

ROSTER OF COMMISSIONERS
Ghada Saliba-Malouf, *Chair*
Larry Lee, *Vice Chair*
Haig Baghdassarian
Shirley Dimapilis
Wilfred W. Hsu
Martha Knutzen
Leslie Littleton
Antonio Salazar-Hobson
Theresa Sparks
Charles L. Ward

Virginia M. Harmon, *Interim Director*

Toni A. Delgado, *Commission Secretary*

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ORDER OF BUSINESS

CALL TO ORDER
Commission Vice-Chair Lee called the meeting to order at 4:52 p.m.

ROLL CALL
Commissioners Present
Larry Lee, *Vice Chair*
Haig Baghdassarian
Shirley Dimapilis
Wilfred W. Hsu (arr. 4:58 p.m.)
Martha Knutzen
Leslie Littleton (arr. 5:15 p.m.)
Theresa Sparks
Charles L. Ward

Commission Excused
Ghada Saliba-Malouf, *Chair*
Antonio Salazar-Hobson

HRC Staff Present
Virginia M. Harmon, Interim Director, Toni A. Delgado, Commission Secretary, Kimberly Carver

Guests Present
Dorji Roberts, Deputy City Attorney

A quorum was present.

APPROVAL OF MINUTES
Approval of minutes of Commission Meeting of May 24, 2001
The minutes of the April 26, 2001 were moved (Dimapilis), seconded (Sparks) and approved (Unanimously).

Commissioner Hsu arrived at 4:58 p.m.
The quorum was not affected.

CIRCULATE GENERAL COMMUNICATIONS FILE
There was no general communications file.

PUBLIC COMMENT ON ITEMS NOT ON THE AGENDA
There was no public comment.

CLOSED SESSION

EXECUTIVE SESSION
Vote on whether to hold closed session to confer with Legal Counsel to evaluate a City employee
A vote to hold closed session was moved (Knutzen), seconded (Dimapilis) and approved (Unanimously).

Closed Session to to evaluate a City employee pursuant to subdivision (a) of California Government Code Section 54957 and San Francisco Administrative Code Section 67.10(b):
The Commission went into closed session at 4:55 p.m.

Commissioner Littleton arrived at 5:15 p.m.
The quorum was not affected.

RECONVENE IN OPEN SESSION
The Commission reconvened into open session at 7:42 p.m.

Possible report on actions taken in closed session pursuant to Government Code 54957.1 and San Francisco Administrative Code 67.12.
There were not actions to report.

Vote in open session on whether to disclose any or all executive session discussions pursuant to Government Code 54957.1 and San Francisco Administrative Code 67.12.
A vote to not disclose any or all executive session discussions was moved (Littleton), seconded (Dimapilis) and approved (Unanimously).

RETURN TO REGULAR BUSINESS

COMMISSIONER DISCUSSION OF MATTERS OF INTEREST FOR POSSIBLE INCLUSION OF FUTURE AGENDA ITEMS
Commissioner Sparks asked that a closed session be agendized in the near future so that criteria could be established for next years' Pay for Performance Evaluation as well as discussion of the direction and expectations of both the Director and the Commission.

Commissioner Knutzen asked that the agenda for the next closed session is created, that it be similar to this meetings agenda, so the Commissioners may focus solely on the matter at hand. Commissioner Knutzen suggested, barring any pressing action items, the closed session meeting be scheduled for the end of July or beginning of August.

Commissioner Littleton stated that she attended the Equal Rights Advocates luncheon, which was predominately attended by female attorneys, and added that it was a very positive experience. She urged other Commissioners to attend next year.

ADJOURNMENT
The meeting was adjourned at 7:45 p.m.

NEXT MEETING

DATE: June 28, 2001

TIME: 4:30 P.M.

PLACE: 1 Dr. Carlton B. Goodlett Place
Room 416
San Francisco, CA 94102

Respectfully submitted,

Virginia Harmon
Interim Director

By: Toni A. Delgado
Commission Secretary

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Human Rights Commission

City and County of San Francisco

Willie L. Brown, Jr., Mayor

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JUN 25 2001

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Regular Meeting Agenda

Thursday, June 28, 2001
4:30 p.m.
City Hall, Room 416
1 Dr. Carlton B. Goodlett Place

ROSTER OF COMMISSIONERS

Ghada Saliba-Malouf, *Chair*
Larry Lee, *Vice Chair*
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Martha Knutzen
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Items on the Consent Calendar, designated by "CC" shall automatically be approved, unless a request for removal for discussion or explanation is received from the audience, Commission or Commission staff.

Public testimony will be taken on each item. Public testimony is limited to three minutes.

ORDER OF BUSINESS

1. CALL TO ORDER

2. ROLL CALL

3. APPROVAL OF MINUTES

   a. Approval of minutes of Commission Meeting of June 14, 2001
   [➲Action Item ☆☆]

4. CIRCULATE GENERAL COMMUNICATIONS FILE

5. PUBLIC COMMENT ON ITEMS NOT ON THE AGENDA
   Members of the public may address the Commission on matters that are within the Commission's jurisdiction and are not on today's agenda. Public comment is limited to three minutes per speaker.

6. REPORT OF THE CHAIR

   a. Individual Commissioner reports on Community Activities
   [◎Discussion Item ☆]
   b. Approval of letter to the New York City Human Rights Commission urging them to support a gender identity ordinance currently before the New York City Council.
   [◎Discussion ➲Action Item ☆☆☆]

7. REPORT OF THE DIRECTOR

   a. Discussion of Chapter 12.D.A. June 1, 2001 Quarterly Report
   [◎Discussion Item ☆☆☆]
   b. Discussion Chapter of 12.D.A. Waiver Report
   [◎Discussion Item ☆☆☆]
   c. HRC Division Reports
   [◎Discussion Item ☆]

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8. Discussion and update on the following items regarding the escalating Violence Affecting the African American and Latino Communities in San Francisco.
   a. Task Force Report
      i. Update of Task Force activities and progress
      [◎Discussion Item ☆☆☆]
      ii. Discussion and possible adoption of resolution urging the Recreation and Park and San Francisco Police Department to provide departmental resources for extended hours services for high risk youth
      [◎Discussion ➲Action Item ☆☆☆]
      iii. Discussion and possible adoption of resolution urging that the Mayor's Office of Community Development initiate the Request for Proposal process to provide workshop and referral services to high risk youth through an extended hours program
      [◎Discussion ➲Action Item ☆☆☆]

9. Public hearing and presentation on media reporting of incidents of violence in minority communities in San Francisco.
   [◎Discussion Item ☆☆☆]

10. COMMITTEE REPORTS

   a. Lesbian Gay Bisexual Transgender Advisory Committee
   Commissioner Martha Knutzen, Chair
   Commissioner Theresa Sparks, Vice Chair
   Larry Brinkin, Committee Staff

      i. Report of the June 19, 2001 Committee Meeting
      [◎Discussion Item ☆]

      NOTE: *The next meeting of the Lesbian Gay Bisexual Transgender Advisory Committee will be held on Tuesday, July 17, 2001 at 5:30 p.m. at the Human Rights Commission offices, 25 Van Ness Avenue, Eighth Floor Conference Room, San Francisco, CA 94102*

      ii. Approval of letter to the Mayor's Office of Community Development regarding economic empowerment in the LGBT community.
      [◎Discussion ➲Action Item ☆☆]
      iii. Approval of form letter to community based planning organizations regarding economic empowerment in the LGBT community.
      [◎Discussion ➲Action Item ☆☆]

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iv. Approval of form letter to community based training programs regarding economic empowerment in the LGBT community.
[◎Discussion ➲Action Item ☆☆]

b. Employment Committee
Commissioner Larry Lee, Chair
Commissioner Wilfred Hsu, Vice Chair
Pansy Waller, Committee Staff

i. Report of the June 7, 2001 Committee Meeting
[◎Discussion Item ☆]

NOTE: *The next meeting of the Employment Committee will be held on Thursday, August 2, 2001 at 1:30 p.m. at the Human Rights Commission offices, 25 Van Ness Avenue, Eighth Floor Conference Room, San Francisco, CA 94102*

c. Issues Committee
Commissioner Theresa Sparks, Chair

i. Report of the June 19, 2001 Committee Meeting
[◎Discussion Item ☆]

NOTE: *The next meeting of the Issues Committee will be held on Monday, July 22, 2001 at 5:30 p.m. at the Human Rights Commission offices, 25 Van Ness Avenue, Eighth Floor Conference Room, San Francisco, CA 94102*

d. MBE/WBE/LBE Advisory Committee
Commissioner Charles Ward, Chair
Commissioner Shirley Dimapilis, Vice Chair
Romulus Asenloo, Committee Staff

i. No Report.

NOTE: *The next meeting of the MBE/WBE/LBE Advisory Committee will be held on Wednesday, July 18, 2001 at 5:30 p.m. at the Human Rights Commission offices, 25 Van Ness Avenue, Eighth Floor Conference Room, San Francisco, CA 94102*

e. Youth and Education Committee
Commissioner Shirley Dimapilis, Chair
Commissioner Charles L. Ward, Vice Chair
Toni A. Delgado, Committee Staff
Melinda Wesley, Committee Staff

i. Report of the June 6, 2001 Committee Meeting

[◎Discussion Item ☆]

NOTE: *The next meeting of the Youth and Education Committee will be held on Wednesday, August 1, 2001 at 4:30 p.m. at the Human Rights Commission offices, 25 Van Ness Avenue, Eighth Floor Conference Room, San Francisco, CA 94102*

11. COMMISSIONER DISCUSSION OF MATTERS OF INTEREST FOR POSSIBLE INCLUSION OF FUTURE AGENDA ITEMS

12. ADJOURNMENT

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NEXT MEETING: THURSDAY, JULY 12, 2001

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HUMAN RIGHTS COMMISSION
12D WAIVERS
MAY 2001

	Action	Date Signed	Contract Date	Department	Amount	Contractor	Waiver Type
1	Granted	05/09/01	FY 01/02	DPH	$30,000.00	Grayhound Bus Line	DBPO
	REASON: Greyhound is the sole vendor which provides non-refundable ticket's used by mental health clients.						
2	Granted	05/09/01	FY 01/02	DPH	$85,000.00	Organon-Teknika	Lab Test Kits
	REASON: The vendor is the sole supplier of test kits with ELIA test reagents used to screen Oral fluid samples for the HIV-antibody.						
3	Granted	05/09/01	4/1/1 thru 6/30/2	DPH	$500,000.00	Bayer Corp. Diagnostics	Lab Test Kits
	REASON: The vendor is now the sole source for the Chiron HIV Viral Load diagnostic kits (compatible with existing equipment) since they acquired the Chiron corporation.						
4	Granted	05/09/01	FY 01/02	CHN	$520,000.00	Nicolet Bio Medical	Medical Equipment
	REASON: SFGH Critical Care Committee chose their system for its more precise and timely chemotherapeutic intervention. Their hardware and software are inclusive.						
5	Granted	05/09/01	03/14/01	Rec & Park	$8,000.00	El Dorado Septic Srvc	Dept. Blanket
	REASON: Tuolumne County's DPH require septic services, and this vendor is the only source for these services in the Camp Mather area.						
6	Granted	05/14/01	FY 01/02	PUC/Water Quality Bur.	$4,000.00	Harry Brown Training	DPR
	REASON: Harry Brown Training offers class date/time flexibility, onsite training, and is recommended by the Sacramento State Office of Water Programs.						
7	Granted	05/14/01	04/13/01	PUC Utilities Eng.Bureau	$2,500,000.00	City of So. SF	Construction
	REASON: CCSF will obtain two new pipelines and only pay for the relocation of one of them (it is a small portion of the Hook Ramp Project contract by SSF.)						
8	Granted	05/21/01	06/01/01	SFO	$200,000.00	State Lands Commission	MOA
	REASON: This State-created commission is the sole source for evaluation of title to bay bottom to be leased to SFO.						
9	Denied	05/29/01	N/A	Rec & Park	$256,000.00	Sysco Food Service of Modesto	Food Service/Term
	REASON: Competitive process occurred.						

City and County of San Francisco

Willie Lewis Brown, Jr.
Mayor

Human Rights Commission
Contract Compliance
Dispute Resolution/Fair Housing
Minority/Women/Local Business Enterprise
Lesbian Gay Bisexual Transgender & HIV Discrimination

Virginia M. Harmon
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Theresa Sparks
Charles L. Ward

June 28, 2001

DRAFT

Pamela David
Executive Director
Mayor's Office of Community Development
25 Van Ness Avenue, Suite 700
San Francisco, CA 94102

Dear Ms. David:

The Human Rights Commission conducted a public hearing in May of 2000 to explore economic issues in the Lesbian Gay Bisexual Transgender (LGBT) communities. This historic public hearing consisted of testimony in the areas of employment, housing, health, education, and spirituality. Community members, government and organizational representatives, and experts in the field gave us information about the economic successes and challenges facing the LGBT communities in these areas. We appreciated the participation of MOCD in this hearing.

The Commission approved a report (copy enclosed) on the hearing on November 30, 2000. The report consists of summaries of the testimony, essays by writers with expertise in economic analysis, and the Commission's findings and recommendations.

Several of the recommendations in the report are particularly relevant to MOCD. We call your attention specifically to the following recommendations:

No. 1 -- That the City and County of San Francisco dedicate resources to study the economic status of the LGBT community. A collaborative effort by City departments would uncover the realities and needs of the LGBT community so that comprehensive strategies can be planned to move the community towards increased strength, health, and self-sufficiency.

No. 6 -- That the Mayor's Office for Community Development analyze relevant MOCD and other City-collected data based on sexual orientation and gender identity to determine successes and challenges regarding LGBT economic empowerment.

25 Van Ness Avenue
Suite 800
San Francisco
California 94102-6033

TEL (415) 252-2500
FAX (415) 431-5764
TDD (415) 252-2550
www.ci.sf.ca.us/sfhumanrights

No. 17 -- That the City work with currently existing city-funded economic development organizations to ensure that they are reaching the LGBT community with information about how to access and utilize these vital services. These organizations should be prominently promoted and described in community newspapers, bulletin boards and gathering areas as well as on the City's website.

No. 19 -- That City agencies such as the MOCD develop easy to read, free materials targeted to the LGBT community. The LGBT community would be aided by a listing of economic development organizations and other basis reference materials.

No. 20 -- That the City and County of San Francisco provide seed monies and loan programs specifically for small LGBT-owned businesses.

No. 21 -- That LGBT small businesses contact and work with the Mayor's Office for Community Development to learn about and take advantage of financing opportunities. The City should initiate more outreach to the LGBT community about the opportunities available.

No. 48 -- That the Board of Supervisors encourage home ownership by ensuring that City agencies extend and strengthen outreach to the LGBT community about first-time buyer and loan assistance programs. Such programs can contribute to increased retention of LGBT individuals, businesses, and non-profit organizations.

The Commission would like to invite you to visit our Lesbian Gay Bisexual Transgender Advisory Committee to discuss with Commissioners and Committee members the possibilities and challenges these recommendations present. The meetings are held on the third Tuesday of each month at 5:30 p.m. at 25 Van Ness Avenue, 8th floor. We would appreciate your contacting staff member Larry Brinkin at 252-2510 to arrange a time when you and/or MOCD staff representatives could visit the Committee.

Sincerely,

DRAFT

Ghada Saliba-Malouf
Commission Chair

City and County of San Francisco

Willie Lewis Brown, Jr.
Mayor

Human Rights Commission
Contract Compliance
Dispute Resolution/Fair Housing
Minority/Women/Local Business Enterprise
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DRAFT

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Antonio Salazar-Hobson
Theresa Sparks
Charles L. Ward

June 28, 2001

Dear Planning Organization:

The Human Rights Commission conducted a public hearing in May of 2000 to explore economic issues in the Lesbian Gay Bisexual Transgender (LGBT) communities. This historic public hearing consisted of testimony in the areas of employment, housing, health, education, and spirituality. Community members, government and organizational representatives, and experts in the field gave us information about the economic successes and challenges facing the LGBT communities in these areas.

The Commission approved a report on the hearing on November 30, 2000. The report consists of summaries of the testimony, essays by writers with expertise in economic analysis, and the Commission's findings and recommendations. The report is available from the Commission, and is on the Commission's website at www.ci.sf.ca.us/lgbth.

The recommendations include several that address employment discrimination faced by the LGBT communities. For example, Recommendation No. 32 suggests that "all existing job-training programs be open and inclusive of transgender participants." The Commission found that transgender people have a difficult time securing and retaining employment; the unemployment rate for transsexuals is an astronomically high 70%. Among many solutions needed, it is of utmost importance that job-training programs such as yours include transgender trainees so that this high unemployment rate can be reduced.

The Commission therefore encourages and supports your efforts in assuring that your job training programs are open and inclusive of the LGBT community, that this community is targeted for outreach, and that you educate businesses where your trainees are placed regarding LGBT inclusion. Please contact staff member Larry Brinkin at 415-252-2510 if you are interested in further discussion and in learning how we might assist you in these efforts.

Sincerely,

DRAFT

Ghada Saliba-Malouf
Commission Chair

25 Van Ness Avenue
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San Francisco
California 94102-6033

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June 28, 2001

DRAFT

Dear [Planning Agency]:

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Recommendation No. 34 suggests that "the City encourage planning agencies…to include LGBT voices." We call on you as an organization that is a major player in the discussion of planning issues in San Francisco to provide outreach to the diverse communities of the city, including the LGBT communities, so that those voices are included in your staff, your board of directors, and your contacts with neighborhood groups and with members of the public. This inclusion will result in planning decisions that contribute to a vital and viable San Francisco in which all of us may thrive.

If you already are successful in your outreach efforts, we salute you. We are interested in hearing about progress you have made in this area, and your thoughts on the subject. If more can be done, we would appreciate the opportunity to discuss methods of having the diversity of San Francisco at the table. Please contact staff member Larry Brinkin at 415-252-2510 if you are interested in further discussion.

Sincerely,

DRAFT

Ghada Saliba-Malouf
Commission Chair

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FAX (415) 431-5764
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Human Rights Commission

City and County of San Francisco

Willie L. Brown, Jr., Mayor

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Minutes

Regular Meeting
Thursday, June 28, 2001

DRAFT VERSION

ROSTER OF COMMISSIONERS

Ghada Saliba-Malouf, *Chair*
Larry Lee, *Vice Chair*
Haig Baghdassarian
Shirley Dimapilis
Wilfred W. Hsu
Martha Knutzen
Leslie Littleton
Antonio Salazar-Hobson
Theresa Sparks
Charles L. Ward

Virginia M. Harmon, *Interim Director*

Kimberly Carver, *Commission Secretary*

ORDER OF BUSINESS

CALL TO ORDER
Commission Chair Saliba-Malouf called the meeting to order at 4:40 p.m.

ROLL CALL

Commissioners Present	*Commission Excused*
Ghada Saliba-Malouf, *Chair* (left 6:53 p.m.)	Wilfred W. Hsu
Larry Lee, *Vice Chair*	Leslie Littleton
Haig Baghdassarian	
Shirley Dimapilis	
Martha Knutzen (arr. 4:45 p.m.)	
Antonio Salazar-Hobson (left 6:08 p.m.)	
Theresa Sparks	
Charles L. Ward	

HRC Staff Present
Virginia M. Harmon, Interim Director, Toni A. Delgado, Commission Secretary, Kimberly Carver, Lome Aseron, James Fields, Cynthia Goldstein, Ron (Kabir) Hypolite, Ed Ilumin, Zula Jones, Diana Rathbone, and Pansy Waller

Guests Present
Catherine Barnes, Deputy City Attorney; Mike Leong, Jonnie Robinson

A quorum was present.

APPROVAL OF MINUTES
Approval of Minutes of Commission Meeting of June 14, 2001
The minutes of the June 14, 2001 were moved (Dimapilis), seconded (Lee) and approved (unanimously).

CIRCULATE GENERAL COMMUNICATIONS FILE
There was no general communications file.

PUBLIC COMMENT ON ITEMS NOT ON THE AGENDA
There was no public comment.

REPORT OF THE CHAIR
Commission Chair Saliba-Malouf thanked the commissioners for their support and kindness while she was out on maternity leave.

Individual Commissioner Reports on Community Activities
Commissioner Dimapilis reported that she, Commissioner Ward and Commissioner Hsu attended a dinner to honor former Commission Chair Harry Low.

Letter to New York City Human Rights Commission
The Commission considered a letter urging the New York City Human Rights Commission to support a gender identity ordinance currently before the New York City Council. Commissioner Sparks questioned why a sentence in the letter urged removal of transsexuality from the DSM-IV. She said the issue had not been discussed by the LGBT task force and is a matter of contention in the community. Director Harmon and HRC Staff Member Cynthia Goldstein said they were unfamiliar with that part of the letter. Director Harmon said that HRC Staff Member Larry Brinkin, who was not present, would be able to respond to questions. Approval of the letter was tabled for the next Commission meeting.

REPORT OF THE DIRECTOR
Director Harmon welcomed new Commission Secretary Kimberly Carver and asked her to introduce herself. Ms. Carver stated that she had been a volunteer for Supervisor Mark Leno, had been managing editor of the Daily Journal newspaper, is a lawyer and recently passed the California bar exam.

Director Harmon stated that the Board of Supervisors Finance Committee has passed the Commission budget as proposed by the Mayor's office, with no cuts. She said the next step is to have the budget approved by the full Board.

Discussion of Chapter 12.D.A. June 1, 2001 Quarterly Report
There were no questions on the Quarterly Report. Director Harmon said there would be an additional opportunity to ask questions at a future meeting.

Discussion of Chapter 12.D.A. Waiver Report
Commissioner Sparks said she would like to better understand the waiver process. She said she was sensitive about approving waivers when the log contains only a one-sentence explanation of each waiver. Director Harmon said that under Chapter 12.D.A., the Commission is obligated to report on two types of waivers: sole-source waivers and emergency waivers. She offered to provide specific information on particular waivers if requested.

Commissioner Ward asked for further information on the granting of three waivers in the report: to Nicolet Bio Medical (Waiver #4), Harry Brown Training (#5), and the City of South San Francisco (#7). The Director said specific information would be provided on these waivers.

Commissioner Lee asked whether the log previously included information designating whether a waiver was "sole-source" or "emergency." Director Harmon said the reports no longer include that category, but said the category could be reinstated.

Commissioner Ward questioned what role the Commission plays in the waiver process. Director Harmon said she is obligated to report to the Commission on granted waivers. Commissioner Ward asked what recourse the Commissioners had if they questioned the granting of a waiver. The Director replied that documentation could be provided on any

waivers the Commissioners questioned. She said that documentation on Waivers #4, 5, and 7 would be on the agenda for the next meeting.

Commissioner Lee questioned a waiver request by Sysco Food Service of Modesto that was denied. He wondered whether, if that waiver had been granted, a Bay Area supplier might not be a more appropriate bidder. Director Harmon explained that the service was provided in Hetch Hetchy. She offered to bring documentation but Commissioner Lee said it was not needed.

Commissioner Sparks wondered if departments try to abuse the process by asking for emergency waivers when public safety is not a concern. Director Harmon replied that few emergency waivers are granted, and said that requests come from agencies such as the Public Utilities Commission and involve such things as sewers and water mains.

Commissioner Ward asked which level of staff is responsible for granting waivers. Director Harmon said Cynthia Goldstein makes recommendations on Chapter 12.B waivers and James Fields makes recommendations on Chapter 12.D waivers, and that she herself makes the final determination.

HRC Division Reports

MBE/WBE Division

Commission Staff Members James Fields and Diana Rathbone reported on activities in the MBE/WBE Division. Mr. Fields said the Division had been active recently on professional services contracts, construction contracts, leases and concessions, and job-site outreach. He said several disputes were ongoing in the past few weeks, concerning a stop-payment for an HRC-certified trucking company, a payment dispute involving an HRC-certified MBE, and two discrimination complaints involving a contractor. Ms. Rathbone discussed contract activity involving the Recreation and Parks Department, the Public Utilities Commission and the Port of San Francisco. She said the Recreation and Parks Department has begun awarding its own contracts, but that the process is happening slowly. She said that many current PUC water main contracts involve MBE/WBE participation, and that the PUC has been very supportive of the HRC. She said that in one current situation, a contractor has made errors in its bids and failed to keep Commission staff fully informed, but that otherwise, there are few current problems. Ms. Rathbone said a new brochure for the MBE/WBE program has been produced, has been distributed in some public forums and can be distributed to the Commission. She said a professional services contract compliance manual and a construction contracts compliance manual are also near completing and are expected to be ready by the end of July.

Commissioner Lee asked Ms. Rathbone about the status of the Zoo project. Ms. Rathbone said she did not have that information but said she would provide it.

Lesbian, Gay, Bisexual,Transgender and HIV Division

Commission Staff Member Cynthia Goldstein reported that the 9th Circuit has upheld the city's equal benefits ordinance in a case brought by an Ohio-based contractor. She said a decision is still pending in a claim brought by United Airlines. Ms. Goldstein said the Division is developing a manual on complaint-handling that is expected to be ready within several weeks. Ms. Goldstein said the Division is working with the Department of Telecommunications on developing a complaint tracking system, which she hopes will be ready in early fall. In addition, the Division continues to work on rules of procedure for handling complaints under Chapters 12.B and 12.C. Ms. Goldstein said that Staff Members Larry Brinkin, Hadas Rivera-Weiss and Pansy Waller are working on developing guidelines for implementing the city's height and weight anti-discrimination legislation.

Employment, Housing and Public Accommodations Division (EPHA)
Staff member Pansy Waller reported that complaints involving public accommodation and business establishments have increased. She said the Division has also been studying racial profiling in the retail industry, and is working with other government offices and nonprofit groups to plan a public forum addressing racial profiling.

Commissioner Knutzen asked for additional information on the public forum. Director Harmon said such a report could be put on the agenda. Ms. Waller said Staff Member Ed Ilumin is spearheading this effort.

Commissioner Ward inquired about the size of the EHPA unit. Ms. Waller named five staff members. Commissioner Ward asked how complaints are tracked, and how often. Ms. Waller responded that complaints are input into a computer system and said she believes a report is generated monthly. Commissioner Ward asked how many complaints are received per month. Ms. Waller estimated 150 to 250 complaints per month.

Commissioner Sparks asked about the overlap between complaints handled by the EHPA unit and those handled by the LGBTH Division. Mr. Ilumin said that in some instances, the EHPA unit passes a complaint on to the LGBTH Division, but that the EHPA Division handles most of them. Commissioner Sparks inquired about a public accommodation complaint involving the Clift Hotel. Ms. Goldstein said that complaint stayed within the LGBTH Division, as do many other gender identity cases.

Commissioner Lee asked about the timeliness of response to complaints. Ms. Waller explained the process of intake, interviewing and investigation. Commissioner Ward asked what power the staff has to resolve complaints. Mr. Ilumin replied that Article 33 of the Police Code covers enforcement power. He said the staff attempts to mediate complaints, but if one cannot be resolved, it is turned over to enforcement authorities.

Commissioner Knutzen asked Ms. Waller to comment on the rise of public accommodation complaints. Ms. Waller said such complaints are usually based on race or physical or mental disabilities. Mr. Ilumin added that some involve accessibility issues under the Americans With Disabilities Act.

Commissioner Knutzen requested that at future meetings, the divisions describe in detail the processes of contract bidding and complaint handling on a rotating basis. She also requested that reports be provided on discrimination statistics.

REGULAR BUSINESS

Because of scheduling constraints, the order of Agenda Items 8 and 9 was reversed.

PUBLIC HEARING AND PRESENTATION ON MEDIA REPORTING OF INCIDENTS OF VIOLENCE IN MINORITY COMMUNITIES IN SAN FRANCISCO
Commission staff member Lome Aseron introduced Hunter Cutting, executive director of We Interrupt This Message, a national media strategy and training center.

Mr. Cutting stated that the media cover violence in communities of color in a more negative and racially oriented manner than violence in white communities. He said most newsrooms are predominantly white and tend to rely on law enforcement officials as sources. He recommended that communities of color acquire skills to challenge media bias, and that media bias be documented. He said that a Youth Media Council was launched this past spring in the San Francisco Bay Area to monitor media coverage of youth violence.

Dori Maynard, president of the Robert C. Maynard Institute for Journalism Education, discussed her organization's project called the Faultline Framework. She said media coverage is divided along faultlines of race, class, gender, generation and geography, shaping the perceptions of news events. Ms. Maynard said her institute performs media content audits to analyze differences in the ways that issues are covered.

Commissioner Ward noted that he was the first executive director of Ms. Maynard's organization. He cited an unaired advertising spot for the San Francisco Jazz Festival, featuring racial stereotypes, as an example of the kind of coverage that can have negative real-life consequences for minority youth.

Commissioner Sparks asked whether Ms. Maynard observed a difference in coverage between general-circulation newspapers and alternative papers. Ms. Maynard said that the alternative press tends to be almost as white as general-circulation media, but that ethnic press is a growing force.

Commissioner Knutzen expressed interest in the content audits done by the Maynard Institute and said she thought they could strengthen the impact of the Commission's work.

Commissioner Salazar-Hobson left at 6:08 p.m. The quorum was not affected.

Mr. Aseron passed around a handbook by the Murphy Media Studies Group on reporting on violence, and distributed two articles on race and the news media. He read a statement

by Eva Martinez, director of the Center for Integration and Improvement of Journalism, criticizing unbalanced media portrayals.

DISCUSSION AND UPDATE ON THE FOLLOWING ITEMS REGARDING THE ESCALATING VIOLENCE AFFECTING THE AFRICAN AMERICAN AND LATINO COMMUNITIES IN SAN FRANCISCO

Task Force Report

Zula Jones of the Commission Staff discussed the progress the Task Force has made in the six months since the Commission set a goal of focusing on violence in minority communities. Ms. Jones said a report summarizing everything that has been presented to the Commission on the issue is expected to be finished by the end of July. She said Nichole Truax of the Commission Staff is near competion of a guidebook on these issues.

Ms. Jones introduced HRC staff member Ron (Kabir) Hypolite, who distributed copies of San Francisco Police Department statistics on crime in three minority police districts -- Ingleside, Potrero and the Northern District – from 1991 through 1996. He said the statistics did not show a clear pattern as to whether midnight basketball programs coincided with reduced crime, because they were district-wide rather than neighborhood by neighborhood. Commissioner Lee asked whether statistics for years after 1996 were available. Mr. Hypolite said that the 1991-96 time period was used because that is when the midnight basketball program was operating. Commissioners Sparks, Ward and Lee asked about where and when the program operated. Robert Hector, who administered the program, said it operated in the Mission, Oceanview, Potrero Hill, the Western Addition, Sunnydale and Hunters Point, in September-October and February-March. Commission Chair Saliba-Malouf said the Commissioners could review the statistics and ask questions during the next update.

Mr. Hypolite introduced members of the public to comment on their experience in midnight basketball programs. Marcus Edwards said midnight basketball helped him get a job and stay out of trouble. Darrell Dillard said the midnight basketball program helped him avoid gang violence, and offered not only sports activities but workshops on health, education, HIV prevention and job placement.

Police Lt. Kit Crenshaw said that previously, on nights when midnight basketball took place, calls to the police were reduced 75 to 80 percent and there was no street activity. He said the programs aided in conflict resolution, parenting skills, and esteem-building. He urged that midnight basketball programs be restored.

Mr. Hypolite said the Task Force has met with Kristin Hodeley, the family law facilitator for San Francisco Superior Court, to discuss family law aspects of midnight basketball programs; with Elizabeth Goldstein, the Director of the city Recreation and Parks Department, who said money, resources and facilities for such programs are available; and with Jesse Williams of the Juvenile Probation department to discuss challenges and available funding.

Sean Richards of the Brothers Against Guns program said programs like midnight basketball can have a significant positive effect on youth in minority neighborhoods.

Commissioner Ward praised the efforts of the Task Force and the work of Mr, Hector and Mr. Richards. He said midnight basketball would not solve all society's problems, but it can make a difference in young people's lives. Commissioner Sparks noted that the Task Force's efforts have produced tangible results, and said she hopes these efforts continue.

Discussion and possible adoption of resolution urging the Recreation and Park and San Francisco Police Department to provide departmental resources for extended hours services for high risk youth
The resolution was moved (Dimapilis), seconded (Lee) and approved (unanimously).

Discussion and possible adoption of resolution urging that the Mayor's Office of Community Development initiate the Request for Proposal process to provide workshop and referral services to high risk youth through an extended hours program
The resolution was moved (Lee), seconded (Dimapilis) and approved (unanimously).

Commission Chair Saliba-Malouf left at 6:53 p.m. Vice Chair Lee chaired the remainder of the meeting. The quorum was not affected.

COMMITTEE REPORTS
Lesbian Gay Bisexual Transgender Advisory Committee

Report of the June 19, 2001 Committee Meeting
Ms. Goldstein noted that the Commission has already approved recommendations regarding following the hearing on the economic empowerment of the LGBT community. She said the LGBT Advisory Committee is now contacting the Mayor's Office of Community Development in hopes of starting a dialogue on implementing these recommendations. She said the Committee also seeks to improve outreach to the LGBT community regarding existing programs.

Approval of letter to the Mayor's Office of Community Development regarding economic empowerment in the LGBT community.
The resolution was moved (Knutzen) and seconded (Dimapilis).
Commissioner Baghdassarian questioned whether there might be concerns over a provision urging that seed money be given to LGBT-owned businesses. Ms. Goldstein said the provision was not phrased precisely. She said the intent was to improve outreach to LGBT-owned businesses that could qualify for assistance under city programs. The Commissioners collaborated on a recommendation reworded as follows: "That the City and County of San Francisco provide improved outreach to the LGBT communities in connection with seed monies and loan programs for small businesses."
The resolution, as amended, was approved (unanimously).

Approval of form letter to community based job training programs regarding economic empowerment in the LGBT community.
The resolution was moved (Dimapilis), seconded (Sparks), and approved (unanimously).

Approval of form letter to community based planning organizations regarding economic empowerment in the LGBT community.
The resolution was moved (Dimapilis), seconded (Baghdassarian), and approved (unanimously).

Commissioner Knutzen, Committee Chair, said the meeting also included a presentation on the LGBT Community Center. She said that the presence of many LGBT groups in the same location will help unite the community. Commissioner Sparks agreed, and added that the community center staff is conducting tours of the facility under construction.

Employment Committee

Report of the June 7, 2001 Committee Meeting
Ms. Waller said that at the meeting, Commission Staff Member Larry Brinkin provided an update on the city's weight- and height-discrimination guidelines. She said draft guidelines will soon be complete and ready for presentation to the Commission. Ms. Waller said the committee also heard a presentation on the Labor Standards Enforcement Unit of the Purchasing Department. She said the committee tabled a resolution commending women elevator workers until the apprenticeship program is set up and running.

Issues Committee

Report of the June 18, 2001 Committee Meeting
Commissioner Sparks introduced Commission Staff Member Ed Ilumin, who staffed the June meeting in Staff Member Emil DeGuzman's absence. Mr. Ilumin reported that Commissioner Sparks has initiated a recruitment drive to get more members and more diversity on the committee. The committee will do mailings and public postings. The committee plans to set up a panel In mid-July to discuss criteria for membership, and plans to interview potential members in late July and early August. Mr. Ilumin said a retreat is planned for late September.

Mr. Ilumin said that Mr. DeGuzman is looking into the reported assault on Falun Gong practitioners. He said the committee also discussed the medical marijuana issue in light of the recent U.S. Supreme Court decision on the topic, and said several committee members are researching the issue. Mr. Ilumin said that a committee member raised the issue of violence against the transgendered community, and is trying to coordinate efforts with Community United Against Violence, the Asian Law Caucus, the Police Department and the District Attorney's office. Commissioner Sparks added that the issue of violence against transgendered people has been highlighted in a report published by the National Coalition of Anti-Violence Programs. She said that she and Commissioner Knutzen have had discussions on the issue with members of the San Francisco Police Commission, and they

are looking into the possibility of a joint public hearing with the Police Commission and the HRC.

MBE/WBE/LBE Advisory Committee

No Report.

Youth and Education Committee

No Report.

COMMISSIONER DISCUSSION OF MATTERS OF INTEREST FOR POSSIBLE INCLUSION OF FUTURE AGENDA ITEMS

Commissioner Baghdassarian asked whether the Commission acknowledged members of the community who have furthered the Commission's goals. Director Harmon replied that Commissioners may request that staff prepare resolutions in this area. Commissioner Baghdassarian suggested that an event be organized to publicly acknowledge "bright lights" who have been particularly helpful in advancing the Commission's goals. Director Harmon said that this idea will be discussed informally and also put on a future agenda.

ADJOURNMENT

The meeting was adjourned at 7:23 p.m.

NEXT MEETING

DATE: July 12, 2001

TIME: 4:30 P.M.

PLACE: 1 Dr. Carlton B. Goodlett Place
Room 416
San Francisco, CA 94102

Respectfully submitted,

Virginia Harmon
Interim Director

By: Kimberly Carver
Commission Secretary

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Human Rights Commission

City and County of San Francisco

Willie L. Brown, Jr., Mayor

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Regular Meeting Agenda

Thursday, July 12, 2001
4:30 p.m.
City Hall, Room 416
1 Dr. Carlton B. Goodlett Place

ROSTER OF COMMISSIONERS

Ghada Saliba-Malouf, *Chair*
Larry Lee, *Vice Chair*
Shirley Dimapilis
Wilfred W. Hsu
Martha Knutzen
Leslie Littleton
Antonio Salazar-Hobson
Theresa Sparks
Charles L. Ward

Virginia M. Harmon, *Interim Director*

Kimberly Carver, *Commission Secretary*

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In order to assist the City's efforts to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products. Please help the City to accommodate these individuals.

POLICY ON CELL PHONE, PAGERS, AND ELECTRONIC DEVICES

The ringing of and use of cell phones, pagers and similar sound-producing electronic devices are prohibited at this meeting. Please be advised that the Chair may order the removal from the meeting room of any person(s) responsible for the ringing or use of a cell phone, pager, or other similar sound-producing electronic devices.

KNOW YOUR RIGHTS UNDER THE SUNSHINE ORDINANCE

Government's duty is to serve the public, reaching its decisions in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This Ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review. For more information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the Ordinance, contact the Donna Hall at the Sunshine Ordinance Task Force, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102-4683; Office 415-554-7724; Fax 415-554-5163; E-mail: Donna_Hall@ci.sf.ca.us

Citizens interested in obtaining a free copy of the Sunshine Ordinance can request one from Ms. Hall, or by printing Chapter 67 of the San Francisco Administrative Code on the internet at http://www.ci.sf.ca.us/sunshine.htm.

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LEGEND: ☆ = Oral report, no attachment
☆☆ = Attachment provided
☆☆☆ = To be discussed at Commission Meeting

Items designated by "CC" shall automatically be approved, unless a request for removal for discussion or explanation is received from the audience, Commission or Commission staff.

Public testimony will be taken on each item. Public testimony is limited to three minutes.

ORDER OF BUSINESS

1. CALL TO ORDER

2. ROLL CALL

3. APPROVAL OF MINUTES

   a. Approval of minutes of Commission Meeting of June 28, 2001
   [➲Action Item ☆☆]

4. CIRCULATE GENERAL COMMUNICATIONS FILE

5. PUBLIC COMMENT ON ITEMS NOT ON THE AGENDA
   Members of the public may address the Commission on matters that are within the Commission's jurisdiction and are not on today's agenda. Public comment is limited to three minutes

6. REPORT OF THE CHAIR

   a. Individual Commissioner reports on Community Activities
   [◎Discussion Item ☆]

7. REPORT OF THE DIRECTOR

   a. Presentation regarding May Waiver Log, Items 4, 5 and 7
   [◎Discussion Item ☆☆☆]
   b. Discussion Chapter 12.D.A. Waiver Report – June
   [◎Discussion Item ☆☆☆]
   c. HRC Division Reports
   [◎Discussion Item ☆]
   d. Discussion regarding Commission Summer Break
   [◎Discussion ➲Action Item ☆]

LEGEND: ☆ = Oral report, no attachment
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8. Discussion and possible action regarding letter in support of the United Farm Workers [◎Discussion ➲Action Item ☆☆☆]

9. Discussion and update on the following items regarding the escalating Violence Affecting the African American and Latino Communities in San Francisco.
   a. Resource Guide
      i. Presentation and discussion of 2001 Youth Resource Guide [◎Discussion Item ☆]
      ii. Discussion and approval of distribution plan for Resource Guide [◎Discussion ➲Action Item ☆☆☆]

10. COMMITTEE REPORTS

   a. Lesbian Gay Bisexual Transgender Advisory Committee
   Commissioner Martha Knutzen, Chair
   Commissioner Theresa Sparks, Vice Chair
   Larry Brinkin, Committee Staff

      i. No Report.

      NOTE: *The next meeting of the Lesbian Gay Bisexual Transgender Advisory Committee will be held on Tuesday, July 17, 2001 at 5:30 p.m. at the Human Rights Commission offices, 25 Van Ness Avenue, Eighth Floor Conference Room, San Francisco, CA 94102*

   b. Employment Committee
   Commissioner Larry Lee, Chair
   Commissioner Wilfred Hsu, Vice Chair
   Pansy Waller, Committee Staff

      i. No Report.

      NOTE: *The next meeting of the Employment Committee will be held on Thursday, August 2, 2001 at 1:30 p.m. at the Human Rights Commission offices, 25 Van Ness Avenue, Eighth Floor Conference Room, San Francisco, CA 94102*

   c. Issues Committee
   Commissioner Theresa Sparks, Chair

      i. No Report.

LEGEND: ☆ = Oral report, no attachment
☆☆ = Attachment provided
☆☆☆ = To be discussed at Commission Meeting

NOTE: *The next meeting of the Issues Committee will be held on Monday, July 22, 2001 at 5:30 p.m. at the Human Rights Commission offices, 25 Van Ness Avenue, Eighth Floor Conference Room, San Francisco, CA 94102*

d. MBE/WBE/LBE Advisory Committee
Commissioner Charles Ward, Chair
Commissioner Shirley Dimapilis, Vice Chair
Romulus Asenloo, Committee Staff

i. No Report.

NOTE: *The next meeting of the MBE/WBE/LBE Advisory Committee will be held on Wednesday, July 18, 2001 at 5:30 p.m. at the Human Rights Commission offices, 25 Van Ness Avenue, Eighth Floor Conference Room, San Francisco, CA 94102*

e. Youth and Education Committee
Commissioner Shirley Dimapilis, Chair
Commissioner Charles L. Ward, Vice Chair
Toni A. Delgado, Committee Staff
Melinda Wesley, Committee Staff

i. No Report.

NOTE: *The next meeting of the Youth and Education Committee will be held on Wednesday, August 1, 2001 at 4:30 p.m. at the Human Rights Commission offices, 25 Van Ness Avenue, Eighth Floor Conference Room, San Francisco, CA 94102*

CLOSED SESSION

11. EXECUTIVE SESSION

a. Vote on whether to hold closed session to confer with Legal Counsel
[➲Action Item ☆☆☆]

b. Closed Session to discuss litigation matters pursuant to subdivision (a) of California Government Code Section 54956.9(a) and San Francisco Administrative Code Section 67.10(b):

IN RE: Coral Construction
File Number 414196
San Mateo Superior Court

LEGEND: ☆ = Oral report, no attachment
☆☆ = Attachment provided
☆☆☆ = To be discussed at Commission Meeting

12. RECONVENE IN OPEN SESSION
    a. Possible report on actions taken in closed session pursuant to Government Code 54957.1 and San Francisco Administrative Code 67.12.
    [➲Action Item ☆☆☆]
    b. Vote in open session on whether to disclose any or all executive session discussions pursuant to Government Code 54957.1 and San Francisco Administrative Code 67.12.
    [➲Action Item ☆☆☆]

RETURN TO REGULAR BUSINESS

13. COMMISSIONER DISCUSSION OF MATTERS OF INTEREST FOR POSSIBLE INCLUSION OF FUTURE AGENDA ITEMS

14. ADJOURNMENT

All meetings are held at: City Hall, 1 Dr. Carlton B. Goodlett Place Room 416, San Francisco, CA 94102, unless otherwise stated

NEXT MEETING: THURSDAY, JULY 26, 2001

LEGEND: ☆ = Oral report, no attachment
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Human Rights Commission

City and County of San Francisco

Willie L. Brown, Jr., Mayor

Minutes

Regular Meeting
Thursday, July 12, 2001

DRAFT VERSION

ROSTER OF COMMISSIONERS
Ghada Saliba-Malouf, *Chair*
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Martha Knutzen
Leslie Littleton
Antonio Salazar-Hobson
Theresa Sparks
Charles L. Ward

Virginia M. Harmon, *Interim Director*

Kimberly Carver, *Commission Secretary*

ORDER OF BUSINESS

CALL TO ORDER
Commission Vice Chair Lee called the meeting to order at 4:40 p.m.

ROLL CALL
Commissioners Present
Larry Lee, *Vice Chair*
Haig Baghdassarian (arr. 5:11 p.m.)
Shirley Dimapilis (left 6:45 p.m.)
Wilfred W. Hsu (arr. 4:43 p.m.)
Martha Knutzen
Theresa Sparks
Charles L. Ward (left 6:35 p.m.)

Commissioners Excused
Ghada Saliba-Malouf, *Chair*
Leslie Littleton
Antonio Salazar-Hobson

HRC Staff Present
Virginia M. Harmon, Interim Director; Kimberly Carver, Commission Secretary; Frank Anderson, Larry Brinkin, Toni A. Delgado, Carmen Herrera, Zula Jones, Veronica Ng, Diana Rathbone, Nichole Truax, Carla Vaughn

Guests Present
Catherine Barnes, Deputy City Attorney; Randy Riddle, Deputy City Attorney; Michele Kennedy

A quorum was present.

APPROVAL OF MINUTES
Approval of Minutes of Commission Meeting of June 28, 2001
The minutes of the June 28, 2001, meeting were moved (Dimapilis), seconded (Knutzen) and approved (unanimously).

CIRCULATE GENERAL COMMUNICATIONS FILE
A general communications file was circulated.

PUBLIC COMMENT ON ITEMS NOT ON THE AGENDA
There was no public comment.

REPORT OF THE CHAIR
There was no report from the Chair.

Individual Commissioner Reports on Community Activities
Commissioner Dimapilis reported that she attended an Asian Pacific education conference and a meeting of a commission on ethnic groups.

REPORT OF THE DIRECTOR

Presentation on May 2001 Waiver Log

Director Harmon introduced Michele Kennedy, a student intern with the Office of the City Attorney, who gave a presentation on the Chapter 12.D.A. waiver process and the May waiver log. Ms. Kennedy distributed a memo that summarized the Chapter 12.D.A. waiver process, provided statutory background, and explained the Director's legal basis for reporting waivers.

Ms. Kennedy stated that waivers of race- and gender-conscious bid discounts may be awarded in two circumstances: sole-source waivers, when the contract-awarding authority demonstrates that needed goods and services are available from only one source; and emergency work waivers, when an emergency endangers public health and safety and there is no time to apply bid discounts or MBEs and WBEs are not immediately available. In addition, she said, the LBE bid discount for contracts exceeding $5 million dollars may be waived if it is established that qualified LBEs are unavailable and qualified businesses located outside of San Francisco are available; or if implementing the discount would create significant additional cost to the city.

Ms. Kennedy said the Director is required to report on each bid discount waivers to the Commission at the first meeting after it is granted, and to the MBE/WBE/LBE Advisory Committee.

Director Harmon introduced Commission Staff Member James Fields to report on three waivers that Commissioners questioned at the previous meeting. Mr. Fields distributed copies of HRC forms that described the reasons behind the requests for the waivers in question.

Commissioner Ward questioned one waiver supported by a letter from the Public Utilities Commission's Water Quality Bureau, saying that nothing in the letter appeared to satisfy the sole-source or emergency requirements. Mr. Fields and Director Harmon explained that the waiver was sole-source because it involved a Distribution Operator Certification training source and that no MBEs or WBEs are certified to provide that training to PUC staff.

Commissioner Lee asked whether the training at issue might be done in-house at the San Francisco Water Department. Mr. Fields agreed that this might be possible. Commissioner Lee said that if San Francisco utility contractors were made aware of the need, they could get the proper training to enable them to be awarded such contracts. Mr. Fields added that there are numerous needs in today's marketplace that Commission-certified MBEs are not available to address.

Commissioner Knutzen asked whether the quarterly statistics provided to the Commission include companies that have received waivers, and whether a breakdown could be provided both with and without such companies that have received waivers. Director

Harmon said the information could be provided, but that she would like to confer with counsel before doing so.

Discussion of Chapter 12.D.A. Waiver Report, June 2001
Commissioner Sparks questioned several items on the June waiver list: Nos. 1, 4, 9, 20, 21, 25, 26 and 29. She wondered about the stated rationale behind granting sole-source waivers to the San Francisco Symphony (No. 25) and Intervet, Inc. (No. 29). She said she would like the language in future reports to explain more specifically how the waivers fit the criteria. Director Harmon said that could be done. Commissioner Knutzen suggested that the Symphony receives a waiver because that is how the Symphony is subsidized. Commissioner Sparks said she would prefer the report to state this directly.

Commissioner Lee questioned item No. 7, a waiver granted to the city of Pleasanton, asking about whether it involved pump repairs. Director Harmon said that the sole-source contract involved removal of waste.

Commissioner Ward asked if the eight items questioned by Commissioner Sparks could be supported by backup documentation at the next meeting. Commissioner Lee asked if the waiver report could be distributed earlier. Director Harmon agreed to both requests.

HRC Division Reports

MBE/WBE Division
Commission Staff Member Veronica Ng summarized recent projects handled by the Department of Public Works. She said many jobs involve such things as street paving, traffic signals and public garages. Ms. Ng said many Recreation and Parks Department jobs in Golden Gate are handled through DPW, as are many jobs involving police stations and fire stations, and work related to San Francisco General Hospital and Laguna Honda.

Ms. Ng described in the detail the Laguna Honda hospital project. She said that MBE participation is 20 percent and WBE participation is 5 percent. In response to a question from Commissioner Lee at the previous meeting, Ms. Ng said a project to pave the street by the San Francisco Zoo has been recommended for an award, although the paperwork is not complete and work has not started.

Commissioner Lee asked where the site for the new Laguna Honda hospital is located. Ms. Ng said she could supply a map and graphics that would illustrate the proposed setting.

Commissioner Sparks asked what phase the Laguna Honda project is currently in. Ms. Ng said five proposals were received in response to a request for proposals issued in February 2000. She said a firm was chosen and a team selected, including some 20 consultants. She said there is no final design yet and construction will not begin until 2003. Commissioner Sparks asked how much of the current team is MBE or WBE. Ms. Ng said the design firm had met the required goals of 20 percent MBE and 5 percent WBE.

Commissioner Knutzen asked whether those percentages covered only the current phase. Ms. Ng said it applies to the entire project.

Employment, Housing and Public Accommodations Division (EHPA)
Commission Staff Member Frank Anderson addressed the employment program in Department of Public Works construction projects. He said a report on the Commission's work at DPW would be ready in about two months. Mr. Anderson stated that the MBE/WBE program and the employment program are different programs with different goals.

Mr. Anderson said that in DPW preconstruction meetings between the prime contractor and all subcontractors, Human Rights Commission employment requirements now appear at the top of the agenda. He said the Commission uses standardized percentage goals, updated every ten years. Mr. Anderson said that at preconstruction meetings, the Commission sometimes asks community-based organizations or community members to participate. He said the Commission also provides resources for obtaining workers, distributes a nondiscrimination poster, and offers technical assistance.

Lesbian Gay Bisexual Transgender & HIV (LGBTH) Division

Commission Staff Member Larry Brinkin reported that the Commission and the City Attorney's office recently rectified a situation in which domestic partners of certain City employees were disadvantaged. The City Charter allows domestic partners of City employees to receive retirement benefits equal to spousal benefits. However, to do so, the domestic partnership must be registered with the County Clerk. The registration ordinance requires that both partners live in San Francisco, or at least one partner must work in San Francisco. This is not possible for City employees who both work and live outside of San Francisco (which is the case for many employees at such locations as Hetch Hetchy or the Airport). This is unfair, and the City Attorney advised that "work in San Francisco" includes all City employees. The County Clerk accepted this opinion and henceforth all City employees will be eligible for registering their domestic partnerships and applying for Retirement System domestic partner benefits.

Mr. Brinkin then described the development of a staff manual for bringing about staff consistency in the handling complaints of discrimination. The manual will discuss how complaints are received, mediated, and investigated, and how files are kept. Mr. Brinkin is working with a consultant to produce a draft manual which will be circulated to all staff members for comment before final approval by the Director.

Mr. Brinkin also described the tasks involved in implementing the Equal Benefits Ordinance. These tasks include review of documentation from vendors such as the primary declaration, health insurance and pension plans, bereavement and family leave policies, and company discount policies. LGBTH Division staff also speak with vendors from all over the country about the Ordinance, the reason for it, and how and why to comply. Staff also communicates with personnel from all City departments who are seeking information about the compliance status of vendors. Also, staff reviews City

departmental requests for waivers and makes recommendations to the Director regarding approval. Division staff also prepares statistical and analytical reports on the Ordinance for the public and City officials.

Discussion on Commission Summer Break
The Commissioners discussed a resolution to ask the Chair to cancel the Commission meeting scheduled for Thursday, August 23, 2001.
The resolution was moved (Dimapilis), seconded (Knutzen) and approved (unanimously).

REGULAR BUSINESS

DISCUSSION AND POSSIBLE ACTION REGARDING LETTER IN SUPPORT OF UNITED FARM WORKERS

Commission Staff Member Carmen Herrera stated that the United Farm Workers of America (UFW) AFL-CIO wrote to the Commission requesting support of two California bills: Assembly Bill 423 (Hertzberg) and Senate Bill 1125 (Burton). Both bills pertain to farm labor contractors' licensing requirements, and address the problem of wage payment violations by farm labor contractors who employ agricultural workers.

Ms. Herrera introduced Alicia Sandoval, representing the UFW's San Francisco regional office. Ms. Sandoval said both bills have passed their appropriations committees and are set to go to the floor during the week of July 16, 2001. She said that AB 423 would penalize unlicensed labor contractors, and SB 1125 would allow the wage bonds that contractors pay the Labor Commission to be awarded to farm to workers in the event of a wage violation. Ms. Sandoval listed several organizations that have written letters in support of the bills.
Commissioner Baghdassarian asked when such a letter would need to be submitted. Ms. Sandoval said letters should be submitted before Thursday, July 19, 2001.

Commissioner Knutzen questioned whether it was lawful for the Commission to support legislation. Director Harmon said the question could be researched, but that the Commission was permitted to prepare letters in support of organizations, and that the issue might be approached in that manner.

Commissioner Ward said he favors legislation supporting farm workers, but he requested a clearer articulation of the human rights issue involved in this case. Ms. Sandoval said the UFW has historically supported human rights for farm workers, and that the bills promote basic human rights. Commissioner Lee asked whether the bills cover fringe benefits as well as wages. Ms. Sandoval said she believes the bills only cover wages.

Commissioner Knutzen and Commissioner Ward discussed whether or not the Commission's jurisdiction extends to the specific issues addressed by the bills. Director Harmon said the bills attempt to regulate long-standing abuses in this area. Commissioner Knutzen added that historically, farm workers have been abused with respect to wages. Commissioners Knutzen and Lee discussed their own experience in agricultural work, saying that workers often are not paid on time.

Commissioner Hsu asked whether most farm workers are minorities. Commissioners Knutzen and Dimapilis said that was the case.

Commissioner Knutzen moved to support the legislation in whatever way is appropriate for the Commission to do. The motion was seconded (Dimapilis). Commissioner Baghdassarian said he would like to see the legislation and the legislative history. Because not all Commissioners had copies of this material before them, the Commission recessed to review the material.

After the recess, the Commission voted on Commissioner Knutzen's motion to support the farm workers. The motion was worded so that the Commission would send a letter to Governor Davis in support of the UFW's efforts to protect state agricultural workers and secure payment of their wages. The motion was approved unanimously.

Because of scheduling constraints, Agenda Item 11 was moved up.

CLOSED SESSION

EXECUTIVE SESSION
Vote on whether to hold closed session to confer with Legal Counsel
A vote to hold closed session was moved (Dimapilis), seconded (Sparks) and approved (unanimously).

Closed Session to discuss litigation matters pursuant to Subdivision (a) of California Government Code Section 54956.9(a) and San Francisco Administrative Code Section 67.10(b).
In re Coral Construction, File No. 414196, San Mateo Superior Court.

The Commission went into closed session at 6:15 p.m.

RECONVENE IN OPEN SESSION
The Commission reconvened in open session at 6:23 p.m.

Possible report on actions taken in closed session pursuant to Government Code 54957.1 and San Francisco Administrative Code 67.10(b).
Commission Vice Chair Lee announced that the Commission had a closed discussion on *In re Coral Construction*, File No. 414196, San Mateo Superior Court.

Vote in open session on whether to disclose any or all executive session discussions pursuant to Government Code 54957.1 and San Francisco Administrative Code 67.12.
A vote not to disclose executive session discussions was moved (Dimapilis), seconded (Sparks) and approved (unanimously).

RETURN TO REGULAR BUSINESS

DISCUSSION AND UPDATE ON THE FOLLOWING ITEMS REGARDING THE ESCALATING VIOLENCE AFFECTING THE AFRICAN AMERICAN AND LATINO COMMUNITIES IN SAN FRANCISCO.

Resource Guide
Commission Staff Member Nichole Truax presented the 2001 Youth Resource Guide, which compiles youth programs and facilities funded by the city and county of San Francisco. Ms. Truax thanked the staff interns who worked on the project, including lead intern Mindy Lee, and also thanked Commission Staff Member Sophia Simpliciano and Director Harmon for their help and input.

Ms. Truax said the guide is divided into 14 sections, the last of which provides transportation information. She said the guide also includes a district map, and that the programs are organized within the guide by district. She said most of the programs listed have at least one bilingual speaker on site.

Ms. Truax also presented a Youth Resource Guide Distribution Plan, which is to be added to the Commission's Web site and provided to the Mayor's Office of Neighborhood Services, the Board of Supervisors, libraries, city agencies and community based organizations. She thanked Commission Staff Member Zula Jones for her help with the distribution plan.

Commissioners Lee, Sparks and Knutzen praised Ms. Truax for her work. Commissioner Sparks questioned whether religious organizations had been included in the community based organizations in the distribution plan. Ms. Truax mentioned one church program, and said additional ones would be added to the guide. Commissioner Knutzen said the guide will be especially effective if it is fully enabled on the Commission's Web site. Commissioner Baghdassarian asked whether the guide would be distributed to private as well as public schools, and Ms. Truax said that was the intention.

Discussion and approval of distribution plan for Resource Guide

A motion to approve the distribution plan as submitted by Ms. Truax, incorporating Commissioner Knutzen's suggestions to maximize technical capabilities, was moved (Knutzen), seconded (Dimapilis) and approved (unanimously).

Commissioner Ward left at 6:35 p.m. Vice Chair Lee chaired the remainder of the meeting. The quorum was not affected.

COMMITTEE REPORTS

Issues Committee
Commissioner Sparks said that at the previous meeting, the Committee decided that the next meeting will be held on Monday, July 30, 2001, at 5:30 p.m.

There were no other committee reports.

COMMISSIONER DISCUSSION OF MATTERS OF INTEREST FOR POSSIBLE INCLUSION OF FUTURE AGENDA ITEMS

Commissioner Knutzen said that, after the hearing at the previous Commission meeting on media coverage of violence, she observed a recent feature in the San Francisco Chronicle on violence in Hunters Point and other communities. She suggested that this might help frame the Commission's response to the hearing. She said that while she did not want to put the item on the agenda yet, she said further research might provide the basis for a letter from the Commission to the Chronicle.

Commissioner Dimapilis left at 6:45 p.m. and a quorum was lost.

Commissioner Sparks asked Director Harmon about the intent of the hearing at the previous meeting. Director Harmon said the hearing was informational, and had been requested by the Commissioners at the retreat earlier this year. She said the information will be incorporated into a report with proposed recommendations for Commission review, which is planned for August or September.

Commissioner Sparks said that she and Commissioner Knutzen were continuing to review the issue of violence in the transgender community committed by the San Francisco Police Department. She said a meeting was scheduled with two members of the San Francisco Police Commission to discuss a possible joint public forum or public hearing involving the Human Rights Commission and the Police Commission. She said the public forum or public hearing might be put on the agenda in the future. Commissioner Sparks asked the Deputy City Attorney about procedure for arranging a public hearing with another commission. Deputy City Attorney Cathy Barnes said she would review notice requirements for such a meeting. Ms. Barnes said the meeting between two HRC Commissioners and two Police Commissioners did not raise quorum problems under the Sunshine Ordinance.

ADJOURNMENT
The meeting was adjourned at 6:53 p.m.

NEXT MEETING

DATE: July 26, 2001

TIME: 4:30 P.M.

PLACE: 1 Dr. Carlton B. Goodlett Place
Room 416
San Francisco, CA 94102

Respectfully submitted,

Virginia Harmon
Interim Director

By: Kimberly Carver
Commission Secretary

Human Rights Commission

City and County of San Francisco

Willie L. Brown, Jr., Mayor

CF
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7/26/01

Regular Meeting Agenda

Thursday, July 26, 2001
4:30 p.m.
City Hall, Room 416
1 Dr. Carlton B. Goodlett Place

ROSTER OF COMMISSIONERS

Ghada Saliba-Malouf, *Chair*
Larry Lee, *Vice Chair*
Haig Baghdassarian
Shirley Dimapilis
Wilfred W. Hsu
Martha Knutzen
Leslie Littleton
Antonio Salazar-Hobson
Theresa Sparks
Charles L. Ward

Virginia M. Harmon, *Interim Director*

Kimberly Carver, *Commission Secretary*

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Agenda and other information are available on the HRC website: www.ci.sf.ca.us/humanrights

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In order to assist the City's efforts to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products. Please help the City to accommodate these individuals.

POLICY ON CELL PHONE, PAGERS, AND ELECTRONIC DEVICES

The ringing of and use of cell phones, pagers and similar sound-producing electronic devices are prohibited at this meeting. Please be advised that the Chair may order the removal from the meeting room of any person(s) responsible for the ringing or use of a cell phone, pager, or other similar sound-producing electronic devices.

KNOW YOUR RIGHTS UNDER THE SUNSHINE ORDINANCE

Government's duty is to serve the public, reaching its decisions in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This Ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review. For more information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the Ordinance, contact the Donna Hall at the Sunshine Ordinance Task Force, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102-4683; Office 415-554-7724; Fax 415-554-5163; E-mail: Donna_Hall@ci.sf.ca.us

Citizens interested in obtaining a free copy of the Sunshine Ordinance can request one from Ms. Hall, or by printing Chapter 67 of the San Francisco Administrative Code on the internet at http://www.ci.sf.ca.us/sunshine.htm.

ATTENTION: Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance (SF Administrative Code 16.520 – 16.534) to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the Ethics Commission at 1390 Market Street, #701, San Francisco, CA 94102, telephone (415)554-9510 fax (415)703-0121 and web site http://www.ci.sf.ca.us/ethics.

Items designated by "CC" shall automatically be approved, unless a request for removal for discussion or explanation is received from the audience, Commission or Commission staff.

Public testimony will be taken on each item. Public testimony is limited to three minutes.

ORDER OF BUSINESS

1. CALL TO ORDER

2. ROLL CALL

3. APPROVAL OF MINUTES

   a. Approval of minutes of Commission Meeting of July 12, 2001
   [➲Action Item]

4. CIRCULATE GENERAL COMMUNICATIONS FILE

5. PUBLIC COMMENT ON ITEMS NOT ON THE AGENDA
   Members of the public may address the Commission on matters that are within the Commission's jurisdiction and are not on today's agenda. Public comment is limited to three minutes.

6. REPORT OF THE CHAIR

   a. Individual Commissioner Reports on Community Activities
   [◎Discussion Item]

7. REPORT OF THE DIRECTOR

   a. Presentation regarding Chapter 12.D.A. Waiver Report for June, Items 1, 4, 9, 20, 21, 25, 26 and 29
   [◎Discussion Item *Attachment provided*]
   b. Approval of Compliance Guidelines to Prohibit Weight and Height Discrimination
   [◎Discussion Item ➲Action Item *Attachment provided*]
   c. HRC Division Reports
      i. LGBTH Division
      [◎Discussion Item]
      ii. Employment, Housing and Public Accommodations Division
      [◎Discussion Item]
      iii. MBE/WBE/LBE Division
      [◎Discussion Item]

8. Discussion concerning reported acts of violence against Falun Gong practitioners

   [◎Discussion Item]

9. COMMITTEE REPORTS

   a. Lesbian Gay Bisexual Transgender Advisory Committee
      Commissioner Martha Knutzen, Chair
      Commissioner Theresa Sparks, Vice Chair
      Larry Brinkin, Committee Staff

      i. Report of Committee meeting of July 17, 2001
      [◎Discussion Item]

      ii. Approval of letter to New York City Commission on Human Rights encouraging their support of a proposed gender identity law for New York City.
      [◎Discussion Item ➲Action Item *Attachment provided*]

      iii. Approval of letter to the Department of Public Health inviting them to review health-related recommendations in the LGBT Economic Empowerment Report and to visit the LGBT Advisory Committee for discussion.
      [◎Discussion Item ➲Action Item *Attachment provided*]

      iv. Approval of letter to the San Francisco Unified School District inviting them to address the Commission regarding implementation of State anti-discrimination guidelines for LGBT students, and education-related recommendations in the LGBT Economic Empowerment Report.
      [◎Discussion Item ➲Action Item *Attachment provided*]

      NOTE: *The next meeting of the Lesbian Gay Bisexual Transgender Advisory Committee will be held on Tuesday, August 21, 2001 at 5:30 p.m. at the Human Rights Commission offices, 25 Van Ness Avenue, Eighth Floor Conference Room, San Francisco, CA 94102*

   b. Employment Committee
      Commissioner Larry Lee, Chair
      Commissioner Wilfred Hsu, Vice Chair
      Pansy Waller, Committee Staff

i. No Report.

NOTE: *The next meeting of the Employment Committee will be held on Thursday, August 2, 2001,at 1:30 p.m. at the Human Rights Commission offices, 25 Van Ness Avenue, Eighth Floor Conference Room, San Francisco, CA 94102*

c. Issues Committee
Commissioner Theresa Sparks, Chair

i. No Report.

NOTE: *The next meeting of the Issues Committee will be held on Monday, July 30, 2001,at 5:30 p.m. at the Human Rights Commission offices, 25 Van Ness Avenue, Eighth Floor Conference Room, San Francisco, CA 94102*

d. MBE/WBE/LBE Advisory Committee
Commissioner Charles Ward, Chair
Commissioner Shirley Dimapilis, Vice Chair
Romulus Asenloo, Committee Staff

i. Report of the July 18, 2001, Committee Meeting

NOTE: *The next meeting of the MBE/WBE/LBE Advisory Committee will be held on Wednesday, August 15, 2001, at 5:30 p.m. at the Human Rights Commission offices, 25 Van Ness Avenue, Eighth Floor Conference Room, San Francisco, CA 94102*

e. Youth and Education Committee
Commissioner Shirley Dimapilis, Chair
Commissioner Charles L. Ward, Vice Chair
Toni A. Delgado, Committee Staff
Melinda Wesley, Committee Staff

i. No Report.

NOTE: *The next meeting of the Youth and Education Committee will be held on Wednesday, August 1, 2001, at 4:30 p.m. at the Human Rights Commission offices, 25 Van Ness Avenue, Eighth Floor Conference Room, San Francisco, CA 94102*

10. COMMISSIONER DISCUSSION OF MATTERS OF INTEREST FOR POSSIBLE INCLUSION OF FUTURE AGENDA ITEMS

11. ADJOURNMENT

All meetings are held at: City Hall, 1 Dr. Carlton B. Goodlett Place Room 416, San Francisco, CA 94102, unless otherwise stated

NEXT MEETING: THURSDAY, AUGUST 9, 2001

City and County of San Francisco

Willie Lewis Brown, Jr.
Mayor

Human Rights Commission
Contract Compliance
Dispute Resolution/Fair Housing
Minority/Women/Local Business Enterprise
Lesbian Gay Bisexual Transgender & HIV Discrimination

Virginia M. Harmon
Interim Director

Agenda Item 7A

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MEMORANDUM

To: Chair Ghada Saliba-Malouf and Members of the Human Rights Commission

From: Virginia Harmon, Interim Director

Date: July 20, 2001

Re: Supporting Documentation for Sole Source Waiver Nos. 1, 4, 9, 20, 21, 25, 26, and 29 from the June Waiver Log

Per your request, attached please find documentation supporting the granting of the above-identified waivers. I have also included a brief synopsis of each waiver request and the basis for granting the waiver.

No. 1 PORT requested a sole source waiver for The Tides Center/Literacy for Environmental Justice to provide education and volunteer coordination at the Port's Heron's Head Park.

This waiver was granted because the contractor possesses unique experience to provide educational and volunteer coordination programs at Heron's Head Park. There are no certified MBEs/WBEs available who can provide these services.

No. 4 DPW requested a sole source waiver for Forms & Surfaces Company to provide signs for the Downtown Signage Program.

This waiver was granted because this is the only company that can provide the signs that meet the criteria determined by the five City Agencies involved in this project. The unique criteria include: 1)structural stability and durability of signform components; 2)ease of replacement for signform components; 3)distinctive design appearance approved by the SF Arts Commission Civic Design Committee; and 4)project budget limitations. There are no MBE/WBE firms that can manufacture these signs.

No. 9 Solid Waste Management requested a sole source waiver for the San Francisco School District's Environmental Science Center to educate San Francisco residents and businesses about the proper disposal of used motor oil and other hazardous waste.

This waiver was granted because the School District's ESC has the unique ability to educate San Francisco students, teachers and parents about the proper disposal of used motor oil and other hazardous waste. There are no MBE/WBE firms available who can provide these services.

25 Van Ness Avenue
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San Francisco
California 94102-6033

TEL (415) 252-2500
FAX (415) 431-5764
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No. 20 PUC requested a sole source waiver for DATA SUPPORT to purchase filter paper to support the glass fiber filter used by the PUC's Water Quality Laboratory.

This waiver was granted because 1)DATA SUPPORT manufactured the glass filter; 2)DATA SUPPORT's filter paper costs 1/3 the amount of other manufacturers; and 3)DATA SUPPORT does not sell through any distributor; and 4) no other vendor can provide the filter paper at the same cost. There are no certified MBE/WBEs available to provide these necessary materials to PUC's Water Quality Laboratory.

No. 21 PUC requested a sole source waiver for IDEXX Laboratories to purchase Colisure, an EPA approved product used to detect the presence or absence of total coliform bacteria and fecal coliform bacteria in the water supply and specially prepared containers for collecting water samples for bacteriological analysis.

This waiver was granted because IDEXX Laboratories is the sole source for these highly specialized laboratory products. There are no certified MBE/WBEs available to provide these necessary materials to PUC's Water Quality Laboratory.

No. 25 The Arts Commission requested a waiver to provide funding for the San Francisco Symphony.

This waiver was granted because the San Francisco Symphony provides unique artistic services to the residents of San Francisco. There are no certified MBE/WBEs available to provide this type of services.

No. 26 Animal Care & Control requested a waiver for Pfizer Inc. to purchase antibiotics, worming medicine and other pharmaceuticals vital to the health and well being of animals at the animal shelter.

This waiver was granted because Animal Care & Control must purchase these medications directly from Pfizer Inc. There are no distributors. There are no certified MBE/WBEs available to provide these medications to Animal Care & Control.

No. 29 Animal Care & Control requested a waiver for Intervet Inc. to purchase dog vaccines for dogs at the animal shelter.

This waiver was granted because Animal Care & Control asserts that these are the best vaccines on the market. These vaccines are only produced and distributed by Intervet Inc. There are no certified MBE/WBEs available to provide these vaccines to Animal Care & Control.

City and County of San Francisco

Willie Lewis Brown, Jr.
Mayor

Human Rights Commission

Contract Compliance
Dispute Resolution/Fair Housing
Minority/Women/Local Business Enterprise
Lesbian Gay Bisexual Transgender & HIV Discrimination

Marivic S. Bamba
Executive Director

SOLE SOURCE, EMERGENCY AND PUBLIC ENTITY EXCEPTION & WAIVER REQUEST FORM

In addition to submitting this form, please attach additional pages explaining why the request for exception is being made. (See back page for information on basis upon which exception may be granted.)

Department: Port – Operations Div. – Environmental Contact Person: Carol Bach

Mailing Address: Pier 1, SF / 94111 Phone: (415) 274-0568

Dept. Head Signature: Karen M Clopton

Date Exception Request Submitted: 6/5/01 Type of Contract: Prof. Services

Date of Contract: _____ Dollar Amount of Contract: $47,770

Name of Contractor: The Tides Center/Literacy for Env. Justice Ethnicity: NA: Non-Profit Sex: ___

Address of Contractor: 6220 3rd St., SF 94124

EXCEPTION FOR PRIME CONTRACT (please check all that apply)

Sole Source: _____ (non-compliance with Chapters 12B & 12C: nondiscrimination in benefits)
Sole Source: X (is not an MBE or WBE pursuant to Chapter 12D)

Emergency: _____ (Chapter 12B & 12C exception)
Emergency: _____ (Chapter 12D exception)

Waived LBE preference for contracts over $5 million: _____

NOTE: Employment requirements are still in force even if a waiver is granted.

Public Entity: _____ (Chapter 12B & 12C exception)

Has waiver for this contract previously been granted or denied? If yes, please give HRC action and dates: _____

HRC ACTION

12B & 12C Waiver Granted: _____ 12D Waiver Granted: ✓
12B & 12C Waiver Denied: _____ 12D Waiver Denied: _____

Reason for Action: Contractor possesses unique experience to provide educational and volunteer coordination programs at Heron's Head Park

HRC Staff: Preston Tom Date: 6/5/01

Signature of HRC Director: [signature] Date: 6/5/01

PORT OF SAN FRANCISCO

S. F. HUMAN RIGHTS COMMISSION

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PORT OF SAN FRANCISCO

MEMORANDUM

TO: Preston Tom, HRC DATE: June 4, 2001

FROM: Carol Bach, Environmental Health & Safety

SUBJECT: Request for Sole Source Waiver
Literacy for Environmental Justice

Attached is a request for a sole source waiver for the Port's proposed professional services contract with The Tides Center/Literacy for Environmental Justice. Literacy for Environmental Justice (LEJ) is a project of the Tides Center, a non-profit entity and approved City vendor acting as the fiscal agent for LEJ. The Tides Center and LEJ comply with the City's equal benefits and minimum compensation requirements.

The Port proposes to contract with LEJ to provide education and volunteer coordination programs at the Port's Heron's Head Park. LEJ is a community-based agency that offers free environmental education programs to the San Francisco Unified School District and to the Bayview-Hunter's Point community. Since the park opened in 1999, LEJ has taken a strong leadership role in building community involvement and developing education programs and volunteer opportunities at the park. During the 2000/01 school year, LEJ staffed education and park stewardship programs for nearly 1,000 students and community members, contributing approximately 9,000 hours of volunteer work to maintain the park. Using Americorps members and employing a part-time Park Naturalist, LEJ has been able to employ and train three young adults of diverse ethnicity from southeastern San Francisco to lead education and restoration activities at the Park. LEJ's work to date has been partially funded by a limited term federal grant.

Because of it's unique position in the community which Heron's Head Park serves, and it's demonstrated commitment and experience in providing culturally relevant environmental education programs for urban youth, LEJ is singularly qualified to lead education and community outreach programs at Heron's Head Park. The Port requests that a waiver from the competitive bidding and M/WBE participation requirements be granted on this basis, allowing the Port to contract with LEJ to provide services during FY 2001/02.

cc: Karen Clopton, Chief of Operations

City and County of San Francisco

Willie Lewis Brown, Jr.
Mayor

S. F. HUMAN RIGHTS COMMISSION
01 JUN -1 PM 4:38

Human Rights Commission

Contract Compliance
Dispute Resolution/Fair Housing
Minority/Women/Local Business Enterprise
Lesbian Gay Bisexual Transgender & HIV Discrimination

Virginia Harmon
Acting Executive Director

SOLE SOURCE, EMERGENCY AND PUBLIC ENTITY EXCEPTION & WAIVER REQUEST FORM

In addition to submitting this form, please attach additional pages explaining why the request for exception is being made. (See back page for information on basis upon which exception may be granted.)

Department: Department of Public Works Contact Person: Edwin M. Lee

Mailing Address: 1 Dr. Carlton Goodlett Place Phone: (415) 554-6927

Dept. Head Signature: [signature]

Date Exception Request Submitted: 6.01.01 Type of Contract: Signform Vendor

Date of Contract: To be determined Dollar Amount of Contract: $182,000

Name of Contractor: Forms + Surfaces Company Ethnicity: Sex:

Address of Contractor: 6395 Cindy Lane, Carpinteria CA 93013

EXCEPTION FOR PRIME CONTRACT (please check all that apply)

Sole Source: ____ (non-compliance with Chapters 12B & 12C: nondiscrimination in benefits)
Sole Source: X (is not an MBE or WBE pursuant to Chapter 12D)

Emergency: ____ (Chapter 12B & 12C exception)
Emergency: ____ (Chapter 12D exception)

Waived LBE preference for contracts over $5 million: ____

NOTE: Employment requirements are still in force even if a waiver is granted.

Public Entity: ____ (Chapter 12B & 12C exception)

Has waiver for this contract previously been granted or denied? If yes, please give HRC action and dates: ____

HRC ACTION

12B & 12C Waiver Granted: ____ 12 D Waiver Granted: ✓
12B & 12C Waiver Denied: ____ 12 D Waiver Denied: ____

Reason for Action: ____

HRC Staff: [signature] Date: 6/8/2001

Signature of HRC Director: [signature] Date: 6/11/01

LC

City and County of San Francisco

Willie Lewis Brown, Jr., Mayor
Edwin M. Lee, Director

(415) 557-4700
FAX (415) 557-4701
http://www.sfdpw.com

Department of Public Works
Bureau of Architecture
30 Van Ness Avenue, Suite 4100
San Francisco, CA 94102- 6028

Mark Dorian, Interim Bureau Manager

June 1, 2001

Ms. Virginia Harmon
Acting Executive Director
Human Rights Commission
City and County of San Francisco
25 Van Ness Avenue, Suite 800
San Francisco, CA 94102-6033

S.F. HUMAN RIGHTS COMMISSION
01 JUN -1 PM 12:48

Subject: Sole Source Request
Forms + Surfaces Company
Downtown Signage Program
DPW Job No. 1708N

Dear Ms. Harmon:

The Department of Public Works, the Department of City Planning, the Port of San Francisco, the Moscone Convention Center and the San Francisco Redevelopment Agency are seeking your authorization to designate a sole source vendor for the Downtown Signage Program. These departments have been coordinating the design and implementation of the signage program under the terms of a grant to the Planning Department and DPW from the Metropolitan Transportation Commission (MTC) Surface Transportation Exchange Fund Program, with additional monies from the San Francisco County Transportation Authority (SFCTA).

The Downtown Signage Program consists of a pedestrian oriented signage system located in a 30-block area of downtown San Francisco. The project goal is to facilitate pedestrian movement through the area, increasing awareness of and orientation to significant cultural, business and tourist destinations. The system includes placing directional markers at intersections and transit stops to identify major destinations and identifying primary and secondary routes between destinations.

The signforms will be obtained by purchase order from the Forms + Surfaces Company through the DPW Bureau of Building Repair, which will also provide installation and maintenance for the project. HRC review of Forms + Surfaces Company submittals regarding compliance with Administrative Code Chapter 12B is in progress. A vendor profile has been established with the Purchaser's Office. The time limitations of the MTC grant have been extended and require that funds for the purchase order be encumbered by August 2001. Accordingly, there is a high degree of urgency to this request.

The Downtown Signage Program includes several design and performance criteria that may be satisfied individually by other systems, however, in combination they can only be satisfied by the 'Arcus' signage system, manufactured by Forms + Surfaces Company. The element of the Arcus system that provides compliance with these criteria is a proprietary aluminum extrusion that is used as an exposed structural component and attachment device for informational panels. These criteria and the function of the proprietary extrusion are noted below.

1. Structural stability and durability of signform components. The form and heavy gauge of the extrusion provides the required structural stability for the overall signform as well as durability for those portions of the signform that are most exposed to physical abuse.
2. Ease of replacement for signform components. The extrusion profile provides the means by which informational panels can be easily attached or removed by City maintenance crews while preventing unauthorized removal by vandals.
3. Distinctive design appearance. The extrusion profile allows the use of formed information panels that provide a distinctive appearance. The Arcus system has been reviewed for design appearance by five City agencies and has been approved by the San Francisco Arts Commission Civic Design Committee which has responsibility for design approval of structures and installations on City property.
4. Meets project budget limitations. The Arcus signform is part of a systematized product line that allows affordable installations to be accomplished without compromise to the first three criteria.

Signage firms that are listed by the HRC cannot meet all the criteria noted above, therefore DPW has submitted the attached HRC Form 1A requesting authorization to proceed with a sole source purchase order. We appreciate your consideration of this urgent request. If you have any questions concerning this project please contact me at 557-4670.

Sincerely,

Chris Bigelow

Christopher Bigelow
DPW Project Manager

Cc: Edwin M. Lee, Director, Department of Public Works
Mark Dorian, Interim Bureau Manager, Bureau of Architecture
Veronica Ng, Human Rights Commission
Stephen Shotland, Department of City Planning
Theresa Burke, DPW / OFFMA
Susan Grenci, DPW / BBR

City and County of San Francisco

Willie Lewis Brown, Jr., Mayor
Edwin M. Lee, Director

(415) 557-4700
FAX (415) 557-4701
http://www.sfdpw.com

Department of Public Works
Bureau of Architecture
30 Van Ness Avenue, Suite 4100
San Francisco, CA 94102- 6028

Mark Dorian, Interim Bureau Manager

S.F. HUMAN RIGHTS COMMISSION
01 APR 18 AM 10:55

April 11, 2001

Ms. Virginia Harmon
Acting Executive Director
Human Rights Commission
City and County of San Francisco
25 Van Ness Avenue, Suite 800
San Francisco, CA 94102-6033

Subject: Sole Source Request
Forms + Surfaces Company
Downtown Signage Program
DPW Job No. 1708N

Dear Ms. Harmon:

The Department of Public Works, the Department of City Planning, the Port of San Francisco, the Moscone Convention Center and the San Francisco Redevelopment Agency are seeking your authorization to designate a sole source vendor for the Downtown Signage Program. These departments have been coordinating the design and implementation of the signage program under the terms of a grant to the Planning Department and DPW from the Metropolitan Transportation Commission (MTC) Surface Transportation Exchange Fund Program, with additional monies from the San Francisco County Transportation Authority (SFCTA).

The Downtown Signage Program consists of a pedestrian oriented signage system located in a 30-block area of downtown San Francisco. The project goal is to facilitate pedestrian movement through the area, increasing awareness of and orientation to significant cultural, business and tourist destinations. The system includes placing directional markers at intersections and transit stops to identify major destinations and identifying primary and secondary routes between destinations.

The signforms will be obtained by purchase order from the Forms + Surfaces Company through the DPW Bureau of Building Repair, which will also provide installation and maintenance for the project. Forms + Surfaces Company has initiated the procedure of compliance with Administrative Code Chapter 12b and listing with the Purchaser's Office as a certified vendor. The time limitations of the MTC grant have been extended and require that funds for the purchase order be encumbered by August 2001. Accordingly, there is a high degree of urgency to this request.

The Downtown Signage Program includes several design and performance criteria that may be satisfied individually by other systems, however, in combination they can only be satisfied by the 'Arcus' signage system, manufactured by Forms + Surfaces Company. The element of the Arcus system that provides compliance with these criteria is a patented aluminum extrusion that is used as an exposed structural component and attachment device for informational panels. These criteria and the function of the patented extrusion are noted below.

1. Structural stability and durability of signform components. The patented form and heavy gauge of the extrusion provides the required structural stability for the overall signform as well as durability for those portions of the signform that are most exposed to physical abuse.
2. Ease of replacement for signform components. The extrusion profile provides the means by which informational panels can be easily attached or removed by City maintenance crews while preventing unauthorized removal by vandals.
3. Distinctive design appearance. The extrusion profile allows the use of formed information panels that provide a distinctive appearance. The Arcus system has been reviewed for design appearance by five City agencies and has been approved by the San Francisco Arts Commission Civic Design Committee which has responsibility for design approval of structures and installations on City property.
4. Meets project budget limitations. The Arcus signform is part of a systematized product line that allows affordable installations to be accomplished without compromise to the first three criteria.

We appreciate your consideration of this urgent request. If you have any questions concerning this project please contact me at 557-4670.

Sincerely,

Chris Bigelow

Christopher Bigelow
DPW Project Manager

Cc: Mark Dorian, Interim Bureau Manager, Bureau of Architecture
Nancy Gonchar, Deputy Director, San Francisco Arts Commission
Stephen Shotland, Department of City Planning
Dan Hodapp, Port of San Francisco
Joyce Oishi, Moscone
Walter Seiji Yanagita, San Francisco Redevelopment Agency
Theresa Burke, DPW / OFFMA
Susan Grenci, DPW / BBR

MEMORANDUM

S.F. HUMAN RIGHTS COMMISSION
01 APR 20 AM 8:30

TO: Christopher Bigelow
DPW Project Manager

FROM: James F. Fields JF
Senior Contract Compliance Officer

DATE: April 20, 2001

RE: Request for Sole Source Waiver, DPW Job No. 1708N

This is to inform you that HRC Form 1A was not submitted along with the above mentioned requestwhich was received by the HRC April 18, 2001.

cc: Mark Dorian, DPW
Veronica Ng, HRC

49

City and County of San Francisco

Willie Lewis Brown, Jr.
Mayor

Human Rights Commission

Contract Compliance
Dispute Resolution/Fair Housing
Minority/Women/Local Business Enterprise
Lesbian Gay Bisexual Transgender & HIV Discrimination

~~Marivic S. Bemba~~
Executive Director

SOLE SOURCE, EMERGENCY AND PUBLIC ENTITY EXCEPTION & WAIVER REQUEST FORM

In addition to submitting this form, please attach additional pages explaining why the request for exception is being made. (See back page for information on basis upon which exception may be granted.)

Department: Solid Waste Management Program Contact Person: marjaneh Zerrehparvar

Mailing Address: 1145 Market St. # 401 SF 94103 Phone: 554-1648

Dept. Head Signature: _____

Date Exception Request Submitted: 6/12/01 Type of Contract: no contract / DPV

Date of Contract: X Dollar Amount of Contract: $5000/yr

Name of Contractor: San Francisco Unified School District Environmental Science Center Ethnicity: X Sex: X

Address of Contractor: 2550 25th Ave. SF 94116

EXCEPTION FOR PRIME CONTRACT (please check all that apply)

Sole Source: _____ (non-compliance with Chapters 12B & 12C: nondiscrimination in benefits)
Sole Source: ✓ (is not an MBE or WBE pursuant to Chapter 12D)

Emergency: _____ (Chapter 12B & 12C exception)
Emergency: _____ (Chapter 12D exception)

Waived LBE preference for contracts over $5 million: _____

NOTE: Employment requirements are still in force even if a waiver is granted.

Public Entity: ✓ (Chapter 12B & 12C exception)

S.F. HUMAN RIGHTS COMMISSION
01 JUN 12 AM 9:52

Has waiver for this contract previously been granted or denied? If yes, please give HRC action and dates: Not sure, but have paid $5K/year in previous years.

HRC ACTION

12B & 12C Waiver Granted: _____ 12D Waiver Granted: ✓
12B & 12C Waiver Denied: _____ 12D Waiver Denied: _____

Reason for Action: THE CONTRACTOR SAN FRANCISCO UNIFIED SCHOOL DISTRICT ENVIRONMENTAL SCIENCE CENTER IS A NON-PROFIT ORGANIZATION.

HRC Staff: JAMES FIELDS Date: 6-13-01

Signature of HRC Director: _____ Date: 6/14/01

HAZARDOUS WASTE MANAGEMENT PROGRAM
ADMINISTRATIVE SERVICES DEPARTMENT
SOLID WASTE MANAGEMENT PROGRAM
1145 MARKET STREET, SUITE 401, SAN FRANCISCO, CA 94103
PHONE: (415) 554-3400 FAX: (415) 554-3434

01 JUN 12 AM 9:52
S.F. HUMAN RIGHTS COMMISSION

MEMORANDUM

Date: June 11, 2001
To: Cynthia Goldstein, HRC
From: Marjaneh Zarrehparvar
Subject: Sole Source Waiver

The Hazardous Waste Management Program receives $275,000 a year in used oil grant funds from the California Integrated Management Board. These funds are used for programs to educate San Francisco residents and businesses on the proper disposal of used motor oil and other hazardous waste, as well fund oil/hazardous waste collection programs.

Our program has works with the Environmental Science Center (ESC) of the San Francisco Unified School District for many years to support day walks, overnight camps and teacher training workshops that contain education about the proper disposal of used motor oil and other hazardous wastes. Through collaboration with the ESC, we were able to reach 2,400 students, 217 teachers and 384 parents during the first six months of the 00/01 school year.

Due to the unique setting of the ESC (Fort Funston), their direct link to the San Francisco School District and the successful history of working with the ESC, we are requesting a sole source waiver to continue funding education programs at the Center.

If you have any questions, or would like additional information about this partnership, please contact me at 415-554-1648.

Thank you!

Post-it® Fax Note 7671	Date 6/12	# of pages ▶ 2
To Cynthia Goldstein	From Carmen	
Co./Dept. HRC	Co. SWMP	
Phone # 5 252-2500	Phone # 554-3401	
Fax # 431-5764	Fax # 554-3434	

J20

1946

ty and County of San Francisco

Willie Lewis Brown, Jr.
Mayor

Human Rights Commission

Contract Compliance
Dispute Resolution/Fair Housing
Minority/Women/Local Business Enterprise
Lesbian Gay Bisexual Transgender & HIV Discrimination

Marivic S. Bamba
Executive Director

SOLE SOURCE, EMERGENCY AND PUBLIC ENTITY EXCEPTION & WAIVER REQUEST FORM

In addition to submitting this form, please attach additional pages explaining why the request for exception is being made. (See back page for information on basis upon which exception may be granted.)

Department: 40 - PUC Water Quality Bureau Laboratory Contact Person: ~~David Fok~~ John C. Lee

Mailing Address: 750 Phelps St., San Francisco, CA 94124 Phone: (415) 648-6882 x1226

Dept. Head Signature: Adriana Dass

Date Exception Request Submitted: 5/30/01 Type of Contract: PO

Date of Contract: Fy 2001 - 2002 Dollar Amount of Contract: $6,000

Name of Contractor: Data Support Ethnicity: _____ Sex: ___

Address of Contractor: P.O. Box 571243, Tarzana, Ca. 91357

EXCEPTION FOR PRIME CONTRACT (please check all that apply)

Sole Source: xx (non-compliance with Chapters 12B & 12C: nondiscrimination in benefits)
Sole Source: xx (is not an MBE or WBE pursuant to Chapter 12D)

Emergency: _____ (Chapter 12B & 12C exception)
Emergency: _____ (Chapter 12D exception)

Waived LBE preference for contracts over $5 million: _____

NOTE: Employment requirements are still in force even if a waiver is granted.

Public Entity: _____ (Chapter 12B & 12C exception)

Has waiver for this contract previously been granted or denied? If yes, please give HRC action and dates: _____

HRC ACTION

12B & 12C Waiver Granted: _____
12B & 12C Waiver Denied: ✓

12D Waiver Granted: ✓
12D Waiver Denied: _____

Reason for Action: Vendor complies with Chapters 12B and 12C.

HRC Staff: Cynthia G. Goldstein Date: 6-21-01

Signature of HRC Director: Vanessa Hall for Virginia Harmon Date: 6-22-01

FAX (415)431-5764 • TDD (415)252-2550

MEMO

TO: Virginia Harmon, Executive Director, Human Rights Commission
FROM: John Lee, Senior Chemist
DATE: May 30, 2001
SUBJECT: Request for Sole Source Vendor Designation

The San Francisco Water Quality Laboratory at 750 Phelps Street would like to request that DATA SUPPORT be approved as a Sole Source Vendor. DATA SUPPORT manufactured the glass fiber filter that was used by our laboratory to analyze suspended solids samples for the Southeast Plant and BERM pretreatment program. DATA SUPPORT's filter paper cost $15.50 per 100 papers while the other manufactures like VWR and FISHER 's filter paper cost $45 per 100 papers. The suspended test is one the requirements by the regional board used to measure our compliance in our NPDES permit.

Since this manufacturer does not sell through any distributor, no other qualified vendor can provide the filter paper at this cost.

DATA SUPPORT CO.
P.0. BOX 571243
TARZANA, CA. 91357

Please call John Lee at 648-6882 ext. 1266 if you have any questions. Thank You for your assistance.

6/21/01
CC to John Lee.

John says

N28

and County of San Francisco 1947 Human Rights Commission

Willie Lewis Brown, Jr.
Mayor

Contract Compliance
Dispute Resolution/Fair Housing
Minority/Women/Local Business Enterprise
Lesbian Gay Bisexual Transgender & HIV Discrimination

Marlvic S. Bamba
Executive Director

SOLE SOURCE, EMERGENCY AND PUBLIC ENTITY EXCEPTION & WAIVER REQUEST FORM

(In addition to submitting this form, please attach additional pages explaining why the request for exception is being made. (See back page for information on basis upon which exception may be granted.)

Department: 40-PUC Water Quality Bur. Laboratory Contact Person: Betty Gee

Mailing Address: 1000 El Camino Real, Millbrae 94030 Phone (650) 871-2095

Dept. Head Signature: Adriana Dyer

Date Exception Request Submitted: 6/13/01 Type of Contract: DV, QV, PO, DBPO

Date of Contract: FY 01-02 Dollar Amount of Contract: $75,000

Name of Contractor: Idexx Labs., Inc. (#32502) Ethnicity: _____ Sex: ____

Address of Contractor: 1-Idexx Drive, Westbrook, ME 04092

EXCEPTION FOR PRIME CONTRACT (please check all that apply)

Sole Source: ✓ (non-compliance with Chapters 12B & 12C: nondiscrimination in benefits)
Sole Source: ____ (is not an MBE or WBE pursuant to Chapter 12D)

Emergency: ____ (Chapter 12B & 12C exception)
Emergency: ____ (Chapter 12D exception)

Waived LBE preference for contracts over $5 million: _____

NOTE: Employment requirements are still in force even if a waiver is granted.

Public Entity: ____ (Chapter 12B & 12C exception)

Has waiver for this contract previously been granted or denied? If yes, please give HRC action and dates: GRANTED; 7/17/00

HRC ACTION

12B & 12C Waiver Granted: ✓ 12D Waiver Granted: ✓
12B & 12C Waiver Denied: ____ 12D Waiver Denied: ____

Reason for Action: Sole source for specialized laboratory products.

HRC Staff: Agatha G. Goldet Date: 6-21-01

Signature of HRC Director: Ormsbee for Virginia Harmon Date: 6-22-01

SFPUC
WATER
HETCH HETCHY
WATER & POWER
CLEAN WATER

SAN FRANCISCO PUBLIC UTILITIES COMMISSION
WATER QUALITY BUREAU
1000 El Camino Real, Millbrae, CA 94030 • Tel. (650) 872-5948 • Fax (650) 952-3407

LLIE L. BROWN, JR.
YOR

CTOR G. MAKRAS
ESIDENT
IN MOLLER CAEN
CE PRESIDENT

DENNIS NORMANDY
ANK L. COOK
SHOK KUMAR BHATT

EVEN D. LEONARD
CTING GENERAL
ANAGER

NDREW F. DEGRACA
JREAU MANAGER

MEMORANDUM

DATE: June 12, 2001

TO: Virginia Harmon, Acting Executive Director, Human Rights Commission

THRU: Phil Caskey, Laboratory Director

FROM: Betty Gee, Chief Microbiologist

SUBJECT: Request for Sole Source Designation – IDEXX Laboratories, Inc.

The San Francisco Water Quality Laboratory would like to request that IDEXX Laboratories, Inc. (Vendor # 32502) be approved as a Sole Source Vendor. IDEXX is the exclusive manufacturer of Colisure, an EPA approved product used to detect the presence/absence of total coliform bacteria and fecal coliform bacteria which are indicators of water pollution. This culture medium has selective inhibitors, not available in other products, which minimize the occurrence of false positives and invalid results, providing us with more accurate results. Also, the test can be adapted to provide an enumeration of the bacterial density by use of the Quanti-Tray instrumentation procedure. This methodology provides a rapid turnaround time for reporting test results and the reading time range allows flexibility in scheduling staff workflow to reduce the cost of overtime to the City.

IDEXX is also the only vendor that can supply the specially prepared containers that our Laboratory has determined to be most satisfactory for collecting water samples for bacteriological analysis and ensuring accurate test results. To insure sterility of these containers, plastic shrink-wrap is placed securely around the entire edge of the caps to avoid bacterial contamination before use. This is of key importance because these sample containers are often stored and used in field locations which are remote, dusty and dirty and subject to surface contamination. The use of these particular containers will minimize these adverse effects and maximize the validity of test results.

It is estimated that our expenditures will cost approximately $75,000. Supplies are purchased on a periodic basis depending on anticipated testing volume and unexpected emergency program needs. Also, we will need to keep the Quanti-Tray equipment in good maintenance and repair. This vendor is not in compliance with Chapter 12B but supplies are necessary to provide uninterrupted essential testing services. There is NO other qualified vendor. A Sole Source waiver for this vendor was previously granted during FY 2000-01 (see attached).

Please contact Betty Gee (871-2095) if you have any questions.

City and County of San Francisco

Willie Lewis Brown, Jr.
Mayor

Human Rights Commission

Contract Compliance
Dispute Resolution/Fair Housing
Minority/Women/Local Business Enterprise
Lesbian Gay Bisexual Transgender & HIV Discrimination

1576

Marivic S. Bamba
Executive Director

SOLE SOURCE, EMERGENCY AND PUBLIC ENTITY EXCEPTION & WAIVER REQUEST FORM

In addition to submitting this form, please attach additional pages explaining why the request for exception is being made. (See back page for information on basis upon which exception may be granted.)

Department: 40 – PUC/Water Quality Bureau Contact Person: Betty Gee

Mailing Address: 1000 El Camino Real, Millbrae Phone: 650 871-2031

Dept. Head Signature: Adriana Davis

Date Exception Request Submitted: June 14,2000 Type of Contract: DV,QV, PO,DBPO

Date of Contract: FY00/01 Dollar Amount of Contract: $75,000

Name of Contractor: Idexx Laboratories #32502 Ethnicity: _____ Sex: _____

Address of Contractor: 1 Idexx Drive, Westbrook, ME 04092

EXCEPTION FOR PRIME CONTRACT (please check all that apply)

Sole Source: ✓ (non-compliance with Chapters 12B & 12C: nondiscrimination in benefits)
Sole Source: ✓ (is not an MBE or WBE pursuant to Chapter 12D)

Emergency: _____ (Chapter 12B & 12C exception)
Emergency: _____ (Chapter 12D exception)

Waived LBE preference for contracts over $5 million: _____

NOTE: Employment requirements are still in force even if a waiver is granted.

Public Entity: _____ (Chapter 12B & 12C exception)

Has waiver for this contract previously been granted or denied? If yes, please give HRC action and dates:
Yes. Granted FY99/00. This is a RENEWAL.

HRC ACTION

12B & 12C Waiver Granted: ✓ 12D Waiver Granted: ✓
12B & 12C Waiver Denied: _____ 12D Waiver Denied: _____

Reason for Action: Sole source for specialized laboratory products.

HRC Staff: Cynthia Goldstein Date: 7-13-00

Signature of HRC Director: _____ Date: 7/17/00

25 Van Ness Avenue
Suite 800
San Francisco
California 94102-6033

TEL (415) 252-2500
FAX (415) 431-5764
TDD (415) 252-2550
http://www.sfhumanrights.org

HRC: When signed, please fax to G. Quan at 650 652-3142

City and County of San Francisco

Willie Lewis Brown, Jr.
Mayor

S.F. HUMAN RIGHTS COMMISSION
01 JUN 21 PM 10:54

Human Rights Commission

Contract Compliance
Dispute Resolution/Fair Housing
Minority/Women/Local Business Enterprise
Lesbian Gay Bisexual Transgender & HIV Discrimination

Virginia M. Harmon
Interim Director

SOLE SOURCE, EMERGENCY AND PUBLIC ENTITY EXCEPTION & WAIVER REQUEST FORM

In addition to submitting this form, please attach additional pages explaining why the request for exception is being made. (See back page for information on basis upon which exception may be granted.)

returned via delivery

Department: ARTS COMMISSION Contact Person: KAN HTUN

Mailing Address: 25 VAN NESS AVE, STE. 240 Phone: (415) 252-4604

Dept. Head Signature: [signature]

Date Exception Request Submitted: 6/21/2001 Type of Contract: SOLE SOURCE

Date of Contract: JULY 01 to AUGUST 31, 2001 Dollar Amount of Contract: $ 950,000

Name of Contractor: SAN FRANCISCO SYMPHONY Ethnicity: _____ Sex: _____

Address of Contractor: DAVIES SYMPHONY HALL, SF., CA 94102

EXCEPTION FOR PRIME CONTRACT (please check all that apply)

Sole Source: _____ (non-compliance with Chapters 12B & 12C: nondiscrimination in benefits)
Sole Source: ✓ (is not an MBE or WBE pursuant to Chapter 12D)

Emergency: _____ (Chapter 12B & 12C exception)
Emergency: _____ (Chapter 12D exception)

Waived LBE preference for contracts over $5 million: _____

NOTE: Employment requirements are still in force even if a waiver is granted.

Public Entity: _____ (Chapter 12B & 12C exception)

Has waiver for this contract previously been granted or denied? If yes, please give HRC action and dates.
GRANTED JUN 29, 1993; JUNE 21, 1994; MAY 11, 1995; JUNE 17, 1996. ON GOING ANNUAL CONTRACT FOR 50 YEARS. (SEE ATTACHED COPY 1997).

HRC ACTION

12B & 12C Waiver Granted: _____ 12D Waiver Granted: ✓
12B & 12C Waiver Denied: _____ 12D Waiver Denied: _____

Reason for Action: _____

HRC Staff: Jamsiella ff Date: _____

Signature of HRC Director: Jamsiella for Virginia Harmon Date: 6.22.01

25 Van Ness Avenue
Suite 800
San Francisco
California 94102-6033

TEL (415) 252-2500
FAX (415) 431-5764
TDD (415) 252-2550
http://www.sfgov.org/sfhumanrights

S.F. HUMAN RIGHTS COMMISSION

City and County of San Francisco

Human Rights Commission
Office of Minority/Women Business Enterprise
Office of Contract Compliance
Office of Dispute Resolution

Edwin M. Lee
Director

MBE/WBE/LBE ORDINANCE II
WAIVER REQUEST FORM

1. Department: Art Commission Contact Person: Nancy Gonchar
2. Address: 25 Van Ness, Rm-240 Phone Number: 252-2584
3. Dept. Head Signature _____ Date: 4/29/97
4. Date of waiver request submitted: 4/29/97
5. Type of Contract: sole source Date of Contract: July 10 - August 1, 1997
6. Dollar Amount of Contract: $800,000
7. If known, Name of Contractor: San Francisco Symphony
   Ethnicity: _____ Sex: _____
8. Address of Contractor: Davies Symphony Hall, SF, CA 94102

WAIVER FOR PRIME CONTRACT (Check One)(See back page)

1. Sole Source: X (which is not a MBE or WBE)
2. Public Health or Safety Emergency _____
3. Waived LBE preference for contracts over 5 million _____

NOTE: Employment requirements are still in force even if a waiver is granted.

Has waiver for this contract previously been granted or denied? If yes, please give HRC action and dates. Yes, granted June 29, 1993; June 21, 1994; May 11, 1995; June 17, 1996. This contract has been in effect 47 years.

HRC ACTION

Waiver Granted: _____ Waiver Denied _____

Reason for Action: _____

HRC Staff: _____ Date: 5-6-97

Signature of Director: _____ Date: _____

Good Faith Efforts" shall mean the actions undertaken by a department to obtain MBE or WBE participation in a contract, and shall include the following efforts: (1) encouraging MBE/WBEs to attend pre-bid meetings, scheduled by a department or the Commission, to inform potential contractors of contracting opportunities; (2)advertising in general circulation media, trade association publications and minority/women business focus media; (3) notifying MBE/WBEs who available to perform the work contemplated in a contract, soliciting their interest in the contract; (4) dividing the contract work into economically feasible units

J26.

RENEWAL REQUEST
FY 2002

City and County of San Francisco

Willie Lewis Brown, Jr.
Mayor

S.F. HUMAN RIGHTS COMMISSION
01 JUN 22 AM 4:45

Human Rights Commission

Contract Compliance
Dispute Resolution/Fair Housing
Minority/Women/Local Business Enterprise
Lesbian Gay Bisexual Transgender & HIV Discrimination

Marivic S. Bamba
Executive Director

1953

SOLE SOURCE, EMERGENCY AND PUBLIC ENTITY EXCEPTION & WAIVER REQUEST FORM

In addition to submitting this form, please attach additional pages explaining why the request for exception is being made. (See back page for information on basis upon which exception may be granted.)

Department: Animal Care & Control Contact Person: Nuvia Bolanos

Mailing Address: 1200-15th Street, SF CA 94103 Phone: 554-9416 Fax# 554-9424

Dept. Head Signature: Carl Friedl

Date Exception Request Submitted: 6/22/01 Type of Contract: Blanket PO

Date of Contract: 7/01/01 Dollar Amount of Contract: 5,000-

Name of Contractor: Pfizer Inc. (14526) Ethnicity: _____ Sex: _____

Address of Contractor: PO Box 747029, Pittsburgh, PA 15274

EXCEPTION FOR PRIME CONTRACT (please check all that apply)

Sole Source: x (non-compliance with Chapters 12B & 12C: nondiscrimination in benefits)
Sole Source: x (is not an MBE or WBE pursuant to Chapter 12D)

Emergency: _____ (Chapter 12B & 12C exception)
Emergency: _____ (Chapter 12D exception)

Waived LBE preference for contracts over $5 million: _____

NOTE: Employment requirements are still in force even if a waiver is granted.

Public Entity: _____ (Chapter 12B & 12C exception)

Has waiver for this contract previously been granted or denied? If yes, please give HRC action and dates:
Yes, waiver granted on 7/05/00 (Please see attached)

HRC ACTION

12B & 12C Waiver Granted: ✓ 12D Waiver Granted: ✓
12B & 12C Waiver Denied: _____ 12D Waiver Denied: _____

Reason for Action: Manufacturer is sole source for needed veterinary medicines.

HRC Staff: Cynthia G. Goldstein Date: 6-28-01 Date: 6-25-01

Signature of HRC Director: _____ Date: 6/28/01

25 Van Ness Avenue
Suite 800
San Francisco
California 94102-6033

TEL (415) 252-2500
FAX (415) 431-5764
TDD (415) 252-2550
http://www.sfhumanrights.org

SAN FRANCISCO
DEPARTMENT OF
ANIMAL CARE AND
CONTROL

Carl Friedman
Director

Kathleen Brown
Deputy Director

R. Bing Dilts, D.V.M.
Shelter Veterinarian

Katie Dinneen
Animal Care
Supervisor

Melissa Flower
Community Affairs
Coordinator

Vicky Guldbech
Animal Control
Supervisor

Faye Woods
Shelter Office
Supervisor

1200 15th Street
@ Harrison
San Francisco
California 94103

(415) 554-6364
Fax (415) 554-9424
TDD (415) 554-9704

To whom it may concern:

My name is Dr. Bing Dilts and I am the Official Veterinarian for the City and County of San Francisco. I am writing this letter to ask for a sole source waver for Pfizer Animal Health Corporation. We use antibiotics (Albon, Terramycin, Clavamox, and Amoxi), worming medicine (Nemex) and other pharmaceuticals (Rimadyl) that they produce. We can't get these drugs from our distributorships; we must buy them directly from Pfizer. They are the only company that makes these drugs and the drugs that we purchase from them are vital to the health and well being of the animals at the animal shelter. I have contacted them about becoming compliant with Chapter 12B and 12C laws and they have refused. I ask the Human Rights Commission to issue a waver for Pfizer as a sole source vender to allow Animal Care and Control to continue keeping the city's homeless animals healthy.

Sincerely,

R. Bing Dilts DVM 3/22/00

R. Bing Dilts, D.V.M.

RENEW)REQUEST
FY 2001

City and County of San Francisco

Willie Lewis Brown, Jr.
Mayor

S.F. HUMAN RIGHTS COMMISSION
01 JUN 22 AM 4:45
1555

Human Rights Commission

Contract Compliance
Dispute Resolution/Fair Housing
Minority/Women/Local Business Enterprise
Lesbian Gay Bisexual Transgender & HIV Discrimination

Marivic S. Bamba
Executive Director

SOLE SOURCE, EMERGENCY AND PUBLIC ENTITY EXCEPTION & WAIVER REQUEST FORM

In addition to submitting this form, please attach additional pages explaining why the request for exception is being made. (See back page for information on basis upon which exception may be granted.)

Department: Animal Care & Control Contact Person: Nuvia Bolanos

Mailing Address: 1200-15th Street, SF CA 94103 Phone: 554-9416

Dept. Head Signature: Carl Friedman
Carl Friedman, Director

Date Exception Request Submitted: 6-21-00 Type of Contract: BPO-BPAN01000005

Date of Contract: 7-01-00 Dollar Amount of Contract: 5,000.00

Name of Contractor: Pfizer Inc. (Vendor ID#14526) Ethnicity: _____ Sex: _____

Address of Contractor: PO Box 747029, Pittsburgh, PA 15274

S.F. HUMAN RIGHTS COMMISSION
00 JUN 29 PM 2:36

EXCEPTION FOR PRIME CONTRACT (please check all that apply)

Sole Source: __x__ (non-compliance with Chapters 12B & 12C: nondiscrimination in benefits)
Sole Source: _____ (is not an MBE or WBE pursuant to Chapter 12D)

Emergency: _____ (Chapter 12B & 12C exception)
Emergency: _____ (Chapter 12D exception)

Waived LBE preference for contracts over $5 million: _____

NOTE: Employment requirements are still in force even if a waiver is granted.

Public Entity: _____ (Chapter 12B & 12C exception)

Has waiver for this contract previously been granted or denied? If yes, please give HRC action and dates:
Yes, waiver granted on 3-23-00 (Please see attached)

HRC ACTION

12B & 12C Waiver Granted: ✓ 12D Waiver Granted: _____
12B & 12C Waiver Denied: _____ 12D Waiver Denied: _____

Reason for Action: Manufacturer is sole source for needed veterinary medicines.

HRC Staff: Cynthia G. Goldstein Date: 7-3-00

Signature of HRC Director: [signature] Date: 7/5/00

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...029

RENEWAL REQUEST

FY 2002

City and County of San Francisco

Willie Lewis Brown, Jr.
Mayor

S. F. HUMAN RIGHTS COMMISSION
01 JUN 22 PM 12:15

Human Rights Commission

Contract Compliance
Dispute Resolution/Fair Housing
Minority/Women/Local Business Enterprise
Lesbian Gay Bisexual Transgender & HIV Discrimination

Marivic S. Bamba
Executive Director

1958

SOLE SOURCE, EMERGENCY AND PUBLIC ENTITY EXCEPTION & WAIVER REQUEST FORM

In addition to submitting this form, please attach additional pages explaining why the request for exception is being made. (See back page for information on basis upon which exception may be granted.)

Department: Animal CAre & Control Contact Person: Nuvia Bolanos

Mailing Address: 1200-15th Street, SF CA 94103 Phone: 554-9416 Fax# 554-9424

Dept. Head Signature: Carl Friedman

Date Exception Request Submitted: 6/22/01 Type of Contract: Blanket PO

Date of Contract: 7/01/01 Dollar Amount of Contract: 5,000-

Name of Contractor: Intervet Inc. (36804) Ethnicity: _____ Sex: _____

Address of Contractor: PO Box 75612, Charlotte, NC 28275

EXCEPTION FOR PRIME CONTRACT (please check all that apply)

Sole Source: XX (non-compliance with Chapters 12B & 12C: nondiscrimination in benefits)
Sole Source: XX (is not an MBE or WBE pursuant to Chapter 12D)

Emergency: _____ (Chapter 12B & 12C exception)
Emergency: _____ (Chapter 12D exception)

Waived LBE preference for contracts over $5 million: _____

NOTE: Employment requirements are still in force even if a waiver is granted.

Public Entity: _____ (Chapter 12B & 12C exception)

Has waiver for this contract previously been granted or denied? If yes, please give HRC action and dates:
Yes, approved on 12/5/00. (Please see Attached)

HRC ACTION

12B & 12C Waiver Granted: ✓ 12D Waiver Granted: ✓
12B & 12C Waiver Denied: _____ 12D Waiver Denied: _____

Reason for Action: Sole source for vaccines.

HRC Staff: Cynthia G Goldstein / Vamsheld 6-28-01 Date: 6-26-01

Signature of HRC Director: [signature] Date: 6/28/01

25 Van Ness Avenue
Suite 800
San Francisco
California 94102-6033

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SAN FRANCISCO
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Shelter Office
Supervisor

1200 15th Street
@ Harrison
San Francisco
California 94103

(415) 554-9364
Fax (415) 554-9424
TDD (415) 554-9704

7/17/00

To whom it may concern,

I am writing this letter to support making Intervet Inc. a sole source company under the domestic partners law. Animal Care and Control purchases dog vaccines from Intervet and has had great luck with these vaccines for years. The Intervet vaccines are the best on the market and they are only produced and distributed by Intervet Inc. The health and welfare of our animals depends on our ability to purchase veterinary products from our suppliers. I urge you to make Intervet Inc. a sole source supplier.

Sincerely,

R. Bing Dilts, D.V.M.

City and County of San Francisco

Human Rights Commission

Willie Lewis Brown
Mayor

S. F. HUMAN RIGHTS COMMISSION
00 NOV 27 PM 2:06

HUMAN RIGHTS COMMISSION
01 JUN 22 AM 4:45

1739

Contract Compliance
Dispute Resolution/Fair Housing
Minority/Women/Local Business Enterprise
Lesbian Gay Bisexual Transgender & HIV Discrimination

Marivic S. Bamba
Executive Director

SOLE SOURCE, EMERGENCY AND PUBLIC ENTITY EXCEPTION & WAIVER REQUEST FORM

In addition to submitting this form, please attach additional pages explaining why the request for exception is being made. (See back page for information on basis upon which exception may be granted.)

Department: Animal Care & Control Contact Person: Nuvia Bolanos

Mailing Address: 1200-15th Street, SF CA 94103 Phone: 554-9416 Fax# 554-9424

Dept. Head Signature: Carl Friedman
Carl Friedman

Date Exception Request Submitted: 11-20-00 Type of Contract: Blanket PO

Date of Contract: 11-20-00 Dollar Amount of Contract: 5,000-

Name of Contractor: Intervet Inc. Ethnicity: _____ Sex: _____

Address of Contractor: PO Box 75612, Charlotte, NC 28275

EXCEPTION FOR PRIME CONTRACT (please check all that apply)

Sole Source: xx (non-compliance with Chapters 12B & 12C: nondiscrimination in benefits)
Sole Source: _____ (is not an MBE or WBE pursuant to Chapter 12D)

Emergency: _____ (Chapter 12B & 12C exception)
Emergency: _____ (Chapter 12D exception)

Waived LBE preference for contracts over $5 million: _____

NOTE: Employment requirements are still in force even if a waiver is granted.

Public Entity: _____ (Chapter 12B & 12C exception)

Has waiver for this contract previously been granted or denied? If yes, please give HRC action and dates:
No.

HRC ACTION

12B & 12C Waiver Granted: ✓ 12D Waiver Granted: _____
12B & 12C Waiver Denied: _____ 12D Waiver Denied: _____

Reason for Action: Sole supplier for vaccines needed for animal welfare.

HRC Staff: Cynthia G. Goldstein Date: 11-29-00

Signature of HRC Director: [signature] Date: 12/5/00

25 Van Ness Avenue
Suite 800
San Francisco
California 94102-6033

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Agenda Item 7B

MEMORANDUM

DOCUMENTS DEPT.

JUL 2 3 2001

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TO: Commissioners

FROM: Pansy Waller, Larry Brinkin, Hadas Rivera-Weiss

SUBJECT: Agenda Item for July 26, 2001: Weight/Height Guidelines

DATE: July 20, 2001

Attached for your review are proposed HRC Guidelines for prohibiting discrimination based on weight or height.

In May of 2000 the Board of Supervisors and the Mayor enacted legislation that added "weight" and "height" as protected categories in the City's anti-discrimination ordinances including Administrative Code Chapters 12A, 12B, and 12C, and Police Code Article 33.

There is no language in the ordinances, however, to explain to the public what these protected categories mean and how the Commission will enforce the ordinances. This was also true for gender identity, and the Commission's gender identity guidelines have been very useful in explaining this category.

Commission staff held a series of meetings with Deputy City Attorney Cathy Barnes and community activists to identify the primary ways in which people are discriminated against based on weight or height in employment, housing, and public accommodations. The guidelines provide guidance as to what is required of employers, organizations serving the public, and landlords to prevent or address discrimination based on weight or height, and can be used by victims of weight or height discrimination to understand their rights.

The gender identity guidelines are available on the Commission's web page and paper copies have been distributed all over the country. We expect the weight and height guidelines also to be widely read and hopefully adopted in some form by other jurisdictions. The guidelines are intended to educate the public about weight and height discrimination so as to prevent discrimination, and also have the force of law in illustrating how the Commission will enforce the ordinances.

We ask your approval for these guidelines. Thank you.

MEMORANDUM

TO: Commissioners

FROM: Pansy Waller, Larry Brinkin, Hadas Rivera-Weiss

SUBJECT: Agenda Item for July 26, 2001: Weight/Height Guidelines
DATE: July 20, 2001

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The gender identity guidelines are available on the Commission's web page and paper copies have been distributed all over the country. We expect the weight and height guidelines also to be widely read and hopefully adopted in some form by other jurisdictions. The guidelines are intended to educate the public about weight and height discrimination so as to prevent discrimination, and also have the force of law in illustrating how the Commission will enforce the ordinances.

We ask your approval for these guidelines. Thank you.

DRAFT -----DRAFT -----DRAFT -----DRAFT -----DRAFT

Compliance Guidelines
To Prohibit Weight and Height Discrimination

San Francisco Administrative Code Chapters 12A, 12B and 12C

and

San Francisco Municipal/Police Code Article 33

[city and county seal]

City and County of San Francisco

Human Rights Commission
25 Van Ness Ave. Suite 800
San Francisco, CA 94102

July 26, 2001

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B. CONTINUING EDUCATION AND DIVERSITY TRAINING
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B. HOSTILE ENVIRONMENT AND HARASSMENT
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I. INTENT

It is the intent of the Human Rights Commission that programs, services, and facilities are accessible to and functional for people of all weights and heights.

II. DEFINITIONS

The following definitions will apply in the construction and implementation of the guidelines described herein:

A. WEIGHT

Weight is a numerical measurement of total body weight, the ratio of a person's weight in relation to height or an individual's unique physical composition of weight through body size, shape, and proportions.

"Weight" encompasses, but is not limited to an impression of a person as fat or thin regardless of the numerical measurement. An individual's body size, shape, proportions, and composition may make them appear fat or thin regardless of numerical weight.

B. HEIGHT

Height is a numerical measurement of total body height, an expression of a person's height in relation to weight, or an individual's unique physical composition of height through body size, shape, and proportions.

"Height" encompasses, but is not limited to an impression of a person as tall or short regardless of numerical measurement. The length of a person's limbs in proportion to the person's body may create an impression that the person is short, tall, or atypically proportioned, independent of numerical measurements of height.

C. REASONABLE ACCOMMODATION

An accommodation is a change in structure, policy, practice or procedure necessary to avoid discrimination. An accommodation is reasonable unless an entity can demonstrate that making the accommodation would fundamentally alter the nature of the service, program or activity or the accommodation constitutes an undue burden defined as a significant difficulty or expense, taking into account the entity's resources.

III. CONDUCT AND DEMEANOR

A. POLICY IMPLEMENTATION AND PUBLICATION

City contractors, subcontractors, agencies, business establishments, and organizations should implement

and clearly communicate a non-discrimination policy regarding weight and height to all administration, clients, employees, and staff. The non-discrimination policy should be communicated to customers, clients or third parties who propose a discriminatory practice. San Francisco employers and City

contractors must post the HRC's anti-discrimination notice in a location visible to all employees.

B. CONTINUING EDUCATION AND DIVERSITY TRAINING

The Human Rights Commission recommends that agencies, business establishments, and organizations require all staff, administration and employees receive continuing education in weight and height related discrimination issues. The Commission further recommends that weight and height be included in comprehensive diversity training programs.

C. SUPERVISION

An individual, employer, agency, landlord, or business establishment must prevent the use of disrespectful language or behavior related to weight or height from its staff, administration, employees or from customers and clients at their place of business or while under their control. The person in charge must take corrective action to assure compliance such as telling the person making an offensive remark that the behavior is not allowed.

IV. SERVICES AND ACCOMMODATIONS

A. EQUITABLE ACCOMMODATIONS

The agency, business establishment or organization will make every effort to provide appropriate and equitable accommodation, so all people, regardless of their weight or height, may share in the equal enjoyment of goods, services, facilities, privileges, and advantages of any place of public accommodation. In the event there is a surcharge to cover the cost of accommodation, this increase may be applied across the board but may not be passed on solely to the person or class of persons being accommodated. The following examples are meant to be illustrative, not exhaustive.

> Example 1: Fixed seats are often too small for large or tall people. Businesses, like theaters, with fixed seating will provide an adequate amount of seating without arms and with extra leg room. There must be an adequate supply of seats with various lines of sight and choices of admission prices.
>
> Example 2: Swimming pools shall provide steps, handrails, or other appropriate entry and exit architecture to accommodate swimmers of all sizes.
>
> Example 3: Hair salons, medical offices, and other organizations or establishments that provide dressing gowns or uniforms, will provide gowns or uniforms that fit. One size does not fit all.

B. ACCESS AND EQUAL TREATMENT

Agencies, business establishments and organizations will not obstruct access or deny participation in any service, facility, privilege, advantage, accommodation, or opportunity to individuals based on their weight or height, including but not limited to social services, health services, educational and training services, recreation services and programs. (Exceptions may apply only upon a showing of a bona fide need.)

Example: Medical providers shall have an adequate supply of large blood pressure cuffs and shall provide access to scales that accommodate a wide range of weights.

Medical providers must not deny treatment based on a person's weight or height. Fat people are often discouraged from seeking medical care because providers lecture them about weight loss rather than treating the condition they came in for. Upon a patient's expression of disinterest in receiving weight loss or gain information, the medical provider should honor that request unless the information is medically necessary.

C. REASONABLE ACCOMMODATION

A public accommodation shall make reasonable modifications in policies, practices and procedures when the modifications are necessary to avoid discrimination unless the organization can demonstrate that making the modification would fundamentally alter the nature of the service, program or activity. A modification is reasonable unless it constitutes an undue burden defined as a significant difficulty or expense on the organization, taking into account the organization's resources.

V. EMPLOYMENT

A. NON-DISCRIMINATION

Employers may not discriminate against any individual because of their weight or height in any aspect of employment, including but not limited to recruitment, selection, hiring, wages, uniforms, hours and conditions of employment, promotion, training, development, or benefits. It is not an automatic defense to a charge of weight based employment discrimination that a person of the same weight was hired.

Example: An employer may not exclude a person from a "front office" position or any other position because the employer believes the employee's weight is not in keeping with a professional appearance. The wishes, tastes or preferences of other employees or customers may not be asserted to justify discrimination.

Additionally, it is impermissible to reject a candidate because she carries her weight around her abdomen, in favor of a candidate of the same weight and height who is differently proportioned.

B. HOSTILE ENVIRONMENT AND HARASSMENT

Employers must strive to maintain a respectful, non-hostile environment related to weight and height. Verbal or written harassment against an employee based on weight or height is prohibited. Unsolicited comments, advice, or literature recommending weight loss or gain are inappropriate. For example, a poster that proclaims "No Fat Cops" and encourages officers to seek help from the department about losing weight is inappropriate. However, it is appropriate to advocate increased health and fitness for people of all sizes. An employee must never be subjected to comments regarding weight or height once the employee has stated that such comments are unwelcome. An employee may not be retaliated against

for expressing that preference or for insisting on the right to be free from weight and height-based discrimination and harassment.

C. STANDARDS

Employment decisions should be based on merit or fitness for the position. Weight or height standards may not be used unless weight or height is a bona fide occupational qualification. Weight may not be used as a measure of health, fitness, endurance, flexibility, strength, character or self-control. Individuals of all sizes must be provided an equal opportunity to demonstrate their knowledge and ability. The employer advocating the use of a weight or height standard bears the burden of proving the standard is a bona fide occupational qualification.

D. PHYSICAL WORKPLACE

Employers must undertake readily achievable modifications in the workplace including, but not limited to, accessible furnishings, workplace layout, and equipment. The employer shall give consideration to an employee seeking accommodation based on weight or height, unless the employer can demonstrate that another effective means exists or that the individual's expressed choice is not required. Employers shall ensure that common areas such as employee lounges, cafeterias, health units and exercise facilities are accessible to people of all sizes.

VI. HOUSING

A. NON-DISCRIMINATION

Homebuyers, rental applicants, tenants, and those utilizing housing related services must not be discriminated against based on weight or height.

B. ACCOMMODATIONS AND ALTERATIONS

If a tenant needs and requests an accommodation because of weight or height, it must be made if it is readily achievable. Some examples of alterations that are usually readily achievable include: installing offset hinges to widen doorways, rearranging furnishings, lowering mirrors or replacing shower doors with shower curtains. The need or potential need to make an accommodation may not be considered as a factor in the decision to select a tenant.

A landlord shall not unreasonably withhold approval of alterations necessary to meet a tenant's needs related to weight and height.

For further assistance please call the Human Rights Commission at (415) 252-2500 (main number) or (415) 252-2550 (TTY/TTD).

AGENDA ITEM 9a(ii)

City and County of San Francisco

Human Rights Commission

Contract Compliance
Dispute Resolution/Fair Housing
Minority/Women/Local Business Enterprise
Lesbian Gay Bisexual Transgender & HIV Discrimination

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Mayor

DRAFT

Virginia M. Harmon
Interim Director

July 26, 2001

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JUL 23 2001

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Marta B. Varela
Chair
New York Commission on Human Rights
40 Rector Street
New York, NY 10006

Dear Ms. Varela:

The San Francisco Human Rights Commission is deeply concerned that the New York Commission on Human Rights has chosen not to support Int. No 754. This bill would protect transgender, transsexual, and intersex people, and anyone whose gender presentation or gender identity does not conform to societal expectations. Transgender and other gender variant people often face severe discrimination simply for being themselves. Int. No. 754 is necessary to end that discrimination.

In our experience, the inclusion of gender identity as a protected category in San Francisco's Anti Discrimination Ordinances is invaluable. San Francisco, like New York, names disability as a protected category. Yet, it was not until after the inclusion of gender identity that transgender and gender variant people came to the San Francisco Human Rights Commission with complaints. Now that we have explicit protections, forty percent of the cases in the current docket of the Lesbian Gay Bisexual Transgender and HIV Division involve discrimination based on gender identity. Not only would most of these cases never have been brought forward, many of them would not have been covered under disability, which protects only a small part of the transgender community.

Transgender is an umbrella term that includes pre-operative, post-operative, non-operative, pre-hormonal, post-hormonal, non-hormonal transgender and transsexual people, androgynous people, intersex people, female and male crossdressers, transvestites, drag kings and queens, masculine females, feminine males, and anyone whose gender identity and/or expression is or is perceived to be incongruent with their birth assigned gender. We urge you to adopt as broad and inclusive a definition of transgender as possible. The addition of gender identity as a protected category insures that all gender variant people are protected and sends a strong signal that discrimination is unacceptable. Further, the addition of gender identity as a protected category has allowed us to focus on the transgender communities, to do outreach, to implement educational programs and sensitivity trainings, and to form the Transgender Civil Rights Implementation Taskforce.

Many cities in addition to San Francisco have added gender identity as a protected category: Phoenix, AZ; Tucson, AZ; Santa Cruz, West Hollywood, Iowa City, Atlanta, Evanston, Louisville, New Orleans, Cambridge, Ann Arbor; Ypsilanti, MI; Minneapolis, St. Paul, Toledo, Pittsburgh, Olympia; York, PA; Seattle and Benton County, OR. If the New York Commission on Human Rights wants to continue to have "one of the strongest and most comprehensive civil rights laws in the country" and serve "as a model for civil rights legislation in other cities and communities" it should push for an end to discrimination against transgender people.

Please feel free to contact Marcus de Maria Arana at (415) 552-2519 if you have any questions about the inclusion of gender identity in our Anti-Discrimination Ordinances and the positive effect it has had on the city of San Francisco.

Sincerely,

Ghada Saliba-Malouf
Chair

cc:
Steve DiBrienza, New York City Council
Peter Vallone, New York City Council, Speaker
Randolph Wills, Deputy Commissioner
Matt Foreman, Empire State Pride Agenda
Pauline Park, New York Association for Gender Rights Advocacy
Yoseñio Lewis, National Gender Advocacy Coalition
Shannon Minter, National Center for Lesbian Rights
Paisley Currah, Brooklyn College
Carrie Davis, Gender Identity Project, NY LGBT Community Center
Jennifer Siegel, Commission
Raymond Wayne, Commission
Minette Gorelik, Commission
Andrés Roura, Commission
Daniel Tymus, Commission
Patricia Bramwell, Commission
Kelli Conlin, Commission
Rafael Esparra, Commission
Edison O. Jackson, Commission
Virginia M. Kee, Commission
Esther Montanez, Commission
Susan Mukasey, Commission
Derek B. Park, Commission
Imam Izak-El Pasha, Commission
Rev. Gerardo Ramírez, Commission
Anthony Salerno, Commission
Jack Spatola, Commission

City and County of San Francisco

Willie Lewis Brown, Jr.
Mayor

Human Rights Commission
Contract Compliance
Dispute Resolution/Fair Housing
Minority/Women/Local Business Enterprise
Lesbian Gay Bisexual Transgender & HIV Discrimination

Virginia M. Harmon
Interim Director

Agenda Item 9a(iii)

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Martha Knutzen
Leslie D. Littleton
Antonio Salazar-Hobson
Theresa Sparks
Charles L. Ward

July 26, 2001

DRAFT

Mitchell Katz
Director
San Francisco Department of Public Health
101 Grove Street
San Francisco, CA 94102

Dear Dr. Katz:

The Human Rights Commission conducted a public hearing in May of 2000 to explore economic issues in the Lesbian Gay Bisexual Transgender (LGBT) communities. This historic public hearing consisted of testimony in the areas of employment, housing, health, education, and spirituality. Community members, government and organizational representatives, and experts in the field gave us information about the economic successes and challenges facing the LGBT communities in these areas. We appreciated the participation of Department of Public Health in this hearing

The Commission approved a report (copy enclosed) on the hearing on November 30, 2000. The report consists of summaries of the testimony, essays by writers with expertise in economic analysis, and the Commission's findings and recommendations. The report is also available on the Commission's website at www.ci.sf.ca.us/lgbth.

DOCUMENTS DEPT.

JUL 23 2001

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Several of the recommendations in the report, particularly Nos. 50, 73, 74, 79, 81, 82, 83, 85, 86, and 88 relate directly to DPH. These recommendations request that:

1. The Board of Supervisors increase funding for physical and mental health care for LGBT people, Dr. Seth Ammerman's Mobile Medical Clinic, and comprehensive programs including drug and alcohol treatment, job training, and social services to help the homeless population transition from the streets to more stable housing.
2. The Board of Supervisors pay special attention to providing more substance abuse programs targeted for the LGBT community, that it adopt city-wide standards for LGBT care and require those who contract with DPH to adopt these standards, and increase funding to DPH to encourage proactive research on LGBT health issues.

25 Van Ness Avenue
Suite 800
San Francisco
California 94102-6033

TEL (415) 252-2500
FAX (415) 431-5764
TDD (415) 252-2550
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3. DPH promote services available to the LGBT community, affirm that violence, including anti-LGBT violence, is a health issue and enhance anti-violence programs, policies, and procedures in health care, and create more holistically designed HIV/AIDS prevention training that incorporates job training and other skill-building aspects.
4. The medical community be regularly educated and trained on how to avoid gender-biased care, heterosexism, homophobia, and transphobia.

The Commission appreciates the progress that you have already made in addressing these concerns and wants to offer its support in any lobbying efforts made to the Board of Supervisors. The Commission also encourages and supports your efforts in assuring that your services are open and inclusive of the LGBT community and that this community is targeted for outreach.

In order to continue with this progress and with the implementation of these critical recommendations, the Commission would like to invite you to visit our Lesbian Gay Bisexual Transgender Advisory Committee to discuss with Commissioners and Committee Members the possibilities and challenges these recommendations present. The meetings are held on the third Tuesday of each month at 5:30 p.m. and 25 Van Ness Avenue, 8th floor. We would appreciate your contacting staff member Larry Brinkin at 415-252-2510 to arrange a time when you and/or DPH staff representatives could visit the Committee.

Sincerely,

Ghada Saliba-Malouf
Commission Chair

City and County of San Francisco

Human Rights Commission

Willie Lewis Brown, Jr.
Mayor

Contract Compliance
Dispute Resolution/Fair Housing
Minority/Women/Local Business Enterprise
Lesbian Gay Bisexual Transgender & HIV Discrimination

Virginia M. Harmon
Interim Director

Agenda Item
9a(iv)

DRAFT

COMMISSIONERS

Ghada Saliba-Malouf
Chair

Larry Lee
Vice-Chair

Haig Baghdassarian
Shirley Dimapilis
Wilfred Hsu
Martha Knutzen
Leslie D. Littleton
Antonio Salazar-Hobson
Theresa Sparks
Charles L. Ward

July 26, 2001

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Arlene Ackerman
Superintendent
San Francisco Unified School District
555 Franklin St.
San Francisco, CA 94102

Dear Ms. Ackerman:

On April 26, 2001, the Human Rights Commission (HRC) sent you a letter inviting you or one of your representatives to meet with our Commission to discuss the San Francisco Unified School District's (SFUSD) implementation plan for AB 537. A copy of that letter is enclosed. We would like to again extend the invitation, as we remain concerned about the difficulties faced by lesbian, gay, bisexual, transgender, queer and questioning (LBGTQQ) students.

Additionally, the HRC conducted a public hearing in May of 2000 to explore economic issues in the Lesbian Gay Bisexual Transgender communities. This historic public hearing consisted of testimony in the areas of employment, housing, health, education, and spirituality. Community members, government and organizational representatives, and experts in the field gave us information about the economic successes and challenges facing the LGBT communities in these areas. We would like to thank the SFUSD for its participation at this hearing.

The Commission approved a report (a copy of which is enclosed) on the hearing on November 30, 2000. The report consists of summaries of the testimony, essays by writers with expertise in economic analysis, and the Commission's findings and recommendations. The report is also available from the Commission, and is on the Commission's website at www.ci.sf.ca.us/lgbth.

Recommendations No. 60-67 and 71 pertain specifically to the SFUSD. First, Recommendation 60 suggests that "the City encourage an LGBT-friendly educational environment." The report goes on to offer specific suggestions to further the goal set forth in Recommendation 60.

25 Van Ness Avenue
Suite 800
San Francisco
California 94102-6033

TEL (415) 252-2500
FAX (415) 431-5764
TDD (415) 252-2550
www.ci.sf.ca.us/sfhumanrights

These suggestions, articulated in Recommendations 61-67 and 71, include: 1) that the SFUSD and the HRC work together to compile a policy handbook clearly outlining the District's anti-discrimination policies and employee policies and procedures that affect the LGBTQQ community that is accessible and understandable to faculty, staff, and students; 2) that the SFUSD continue to train all teachers in how to be sensitive to the needs of LGBTQQ students; 3) that the SFUSD provide adult sexual-minority counselors in greater number to provide more adequate and visible support; 4) that the SFUSD purchase text books and materials in all subjects that do not promote homophobia but rather incorporate LGBTQQ voices and individuals in a positive manner; 5) that the SFUSD Board of Education require that the elementary curriculum include units which educate students about the diversity of families; 6) that the SFUSD Board of Education require inclusion in curricula of positive representations of same-sex relationships; 7) that the SFUSD implement the policy to lower the student/counselor ratio by immediately hiring more counselors who are carefully screened to ensure sensitivity to LGBTQQ needs.

Recommendations No. 32 and 33 are also relevant to the SFUSD. These recommendations concern job-training and employement mentorship programs. Recommendation 32 suggests that job-training programs be open and inclusive of transgender participants, and 33 suggests that mentorship programs be established for LGBT youth to enable a smoother transition into employment.

We appreciate the progress that you have already made in addressing these concerns. In order to continue with this progress and with the implemention of these critical recommendations, we invite and encourage SFUSD representatives to meet with the Commission. Commission meetings are held on the second and fourth Thursdays of each month at 4:30 p.m. in Room 416 of City Hall.

Please contact Commission Secretary Kimberly Carver at (415) 252-2531 to arrange for the meeting and to further discussion on this matter.

Sincerely,

Ghada Saliba-Malouf
Commission Chair

Human Rights Commission

City and County of San Francisco

Willie L. Brown, Jr., Mayor

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Minutes

Regular Meeting
Thursday, July 26, 2001

DRAFT VERSION

ROSTER OF COMMISSIONERS

Ghada Saliba-Malouf, *Chair*
Larry Lee, *Vice Chair*
Haig Baghdassarian
Shirley Dimapilis
Wilfred W. Hsu
Martha Knutzen
Leslie Littleton
Antonio Salazar-Hobson
Theresa Sparks
Charles L. Ward

Virginia M. Harmon, *Interim Director*

Kimberly Carver, *Commission Secretary*

ORDER OF BUSINESS

CALL TO ORDER
Commission Chair Saliba-Malouf called the meeting to order at 4:48 p.m.

ROLL CALL
Commissioners Present
Ghada Saliba-Malouf, *Chair*
Larry Lee, *Vice Chair*
Haig Baghdassarian
Shirley Dimapilis
Wilfred W. Hsu
Martha Knutzen
Theresa Sparks

Commissioners Excused
Leslie Littleton
Antonio Salazar-Hobson
Charles L. Ward

HRC Staff Present
Virginia M. Harmon, Interim Director; Kimberly Carver, Commission Secretary; Larry Brinkin, Emil De Guzman, James Fields, Cynthia Goldstein, Zula Jones, Veronica Ng, Diana Rathbone, Hadas Rivera-Weiss, Dylan Vade (Intern), Pansy Waller

Guests Present
Catherine Barnes, Deputy City Attorney; Jonnie Robinson

A quorum was present.

APPROVAL OF MINUTES
Approval of Minutes of Commission Meeting of July 12, 2001
The minutes of the July 12, 2001, meeting were moved (Dimapilis), seconded (Knutzen) and approved (unanimously).

CIRCULATE GENERAL COMMUNICATIONS FILE
There was no general communications file.

PUBLIC COMMENT ON ITEMS NOT ON THE AGENDA
There was no public comment.

REPORT OF THE CHAIR
Chair Saliba-Malouf announced that, pursuant to the vote at the previous Commission meeting, the August 23, 2001, meeting is canceled for summer vacation.

Individual Commissioner Reports on Community Activities
Commissioner Knutzen reported that she and Commissioner Sparks met with Police Commissioner Dennis Herrera to advocate that protocols be adopted for treatment of transgender people by the Police Department. She said that Commissioner Herrera is

expected to recommend that such protocols be adopted. This may happen in early August, and if so, Commissioners Knutzen and Sparks will advocate for the protocols at a Police Commission meeting. Commissioner Knutzen added that the protocols brought to the meeting with Commissioner Herrera were prepared by a Human Rights Commission intern over the summer.

REPORT OF THE DIRECTOR

Presentation regarding Chapter 12.D.A. Waiver Report for June, Items 1, 4, 9, 20, 21, 25, 26 and 29

Director Harmon introduced HRC Staff Member James Fields, who presented a memo explaining various waivers that had been questioned by Commissioners at the July 12 meeting.

Commissioner Lee asked whether, on large sole-source contracts, Commission Staff attempts to have the contractor meet diversity goals. Mr. Fields responded that in general, waivers excuse contractors from meeting these requirements, so that Commission Staff does not pursue the contracts to determine whether diversity requirements are met. Director Harmon stated that contracts included in the Waiver Report are Chapter 12.D waivers, meaning that they are excused from meeting Chapter 12.D.A. MBE/WBE requirements. Director Harmon distinguished such waivers from 12.B waivers, which pertain to the equal benefits provisions of Chapter 12.B. Commissioner Saliba-Malouf noted that contractors that are excused from Chapter 12.D are not necessarily excused from Chapter 12.B, and vice versa, and City Attorney Barnes agreed. Commissioner Saliba-Malouf said that once a contract is awarded, it is monitored for compliance by the Commission's Employment unit, and Director Harmon confirmed that this is the case.

Commissioner Sparks asked Mr. Fields about a contract involving the San Francisco Department of Animal Care and Control, in which the waiver letter said the company was contacted about complying with Chapters 12.B and 12.C and the company refused. She asked whether in such cases, an outreach effort is made to locate other companies that might meet 12.B, 12.C or 12.D requirements. Mr. Fields responded that if a waiver has been previously approved, and conditions under the contract remain the same, the current waiver request is usually also approved. In response to questions from Commissioners Sparks and Saliba-Malouf, Mr. Fields added that sometimes MBE/WBE availability is checked in subsequent years, but that MBEs and WBEs still tend not to be available for such contracts.

Commissioner Lee questioned a waiver for IDEXX Laboratories, asking why the contract was given to an outside contractor when City departments currently do similar work. Director Harmon explained that that waiver, along with another on the list, involve purchasing of supplies for a water quality laboratory, rather than services.

Commissioner Lee asked about Distribution Operator Certification training for Public Utilities Commission staff. Mr. Fields and Director Harmon said that although the contract

for such training was not part of the memo prepared for this meeting, Commission Staff will prepare additional information in the future.

Approval of Compliance Guidelines to Prohibit Weight and Height Discrimination
Director Harmon introduced Commission Staff Members Pansy Waller, Larry Brinkin and Hadas Rivera-Weiss to present the guidelines. As background, Ms. Waller recalled earlier testimony before the Commission by individuals who had suffered discrimination based on body size. She stated that in May, the Mayor and Board of Supervisors enacted legislation to add weight and height as protected categories in the City's anti-discrimination ordinances. Ms. Waller said the guidelines are intended to provide guidance for employers, landlords and organizations serving the public as to compliance with the new legislation, and are intended to have the force of law. Ms. Waller then outlined the contents of the guidelines.

Ms. Waller read a new paragraph to replace a paragraph on Page 5 of the draft distributed to the Commissioners. The new paragraph reads: "Medical providers must not deny treatment based on a person's weight or height. Further, medical providers must not make weight gain or weight loss related intervention a condition for treatment. People are often discouraged from seeking medical care because providers lecture them about weight loss rather than treating the condition they came in for. Medical providers may feel obligated to provide weight loss or gain information based on a belief that the information is medically necessary. At the same time, patients have the right to express disinterest in receiving that information, and have the right to refuse treatment. The Commission urges medical providers to honor that choice."

A motion to adopt the guidelines was moved (Knutzen) and seconded (Dimapilis).

Commissioner Baghdassarian asked how the guidelines would be disseminated. Ms. Waller said they would be put on the Commission's Web site and distributed to City departments. Commissioner Baghdassarian asked how the guidelines would be applied to airlines, bus lines and other common carriers doing business with the City. Ms. Waller said that accommodation would be urged. City Attorney Barnes said that the federal Airline Deregulation Act prohibits the City from enforcing the rules inside planes, but that the rules can still be used as a tool for education. She said the rules probably apply to City buses and bus lines operating within the city. She said that access requirements under the guidelines are probably similar to those under the Americans With Disabilities Act.

Commissioner Baghdassarian asked whether additional examples of "bona fide occupational qualification" (BFOQ) could be provided in the guidelines. Ms. Waller and Ms. Barnes said that examples had been provided in earlier drafts, but Ms. Barnes suggested that some could be added to provide useful guidance or to point out egregious examples. Mr. Brinkin said the ordinance contains a BFOQ exception without providing examples, and added that under the guidelines, it is the burden of the employer or organization to identify a BFOQ. He said that under all the protected categories under Article 33 of the Police

Code, it is assumed that there is no BFOQ unless the employer or organization can show otherwise.

Commissioner Hsu stated his belief that the height and weight guidelines are not well defined and leave room for argument and legal challenges. He questioned, for example, how the phrase "gowns or uniforms that fit" should be specifically interpreted. He also asked about the ramifications if an employer or service provider should violate the guidelines. Ms. Waller responded that businesses are not expected to incur undue hardships, and cited the section defining "reasonable accommodation."

Commissioner Sparks noted that the section on housing provides that accommodation "must" be made if readily available, whereas the section under business services appears to require a best-effort standard. She asked whether the discrepancy was intentional. She also asked how the guidelines will be enforced, and whether the HRC has enough staff to follow up on discrimination complaints. Mr. Brinkin responded that "reasonable accommodation" as defined in the guidelines is intended to apply equally to all sections. He said that any employer or provider could make a case that compliance is an undue burden – determined on a case-by-case basis, using common sense and consulting experts in the field. Mr. Brinkin said the guidelines augment the ordinance and have the force of law. He said Ms. Waller and HRC Staff Member Ed Ilumin will handle discrimination complaints based on weight or height, and that if the burden is becomes too heavy, other staff will assist.

Commissioner Knutzen said the guidelines represented a historic occasion for the Commission, and she thanked Commission staff, the City Attorney, and activists in the field.

Ms. Rivera-Weiss, addressing distribution of the guidelines, said they would be distributed similarly to other guidelines on discrimination. Ms. Waller thanked Ms. Rivera-Weiss and Mr. Brinkin for their work.

Carole Cullum, a member of the public, praised the Commission staff for its work on the guidelines. She said the ordinance has already helped her obtain improved services from her hair stylist.

Jo Kuney, a political consultant, thanked the Commission and staff for its work.

Having been moved and seconded, the motion to adopt the guidelines, incorporating the change read into the record by Ms. Waller and the clarification raised on the best-record standard, was approved (unanimously).

HRC Division Reports

Lesbian Gay Bisexual Transgender & HIV (LGBTH) Division

Mr. Brinkin discussed the complaint-handling process. He said that only about 5 percent of complaints to the Division are investigated and that the rest are handled through a mediative model. He said complaints begin with a short intake, followed by a longer intake session. Mr. Brinkin said many complaints can be handled quickly and successfully with a phone call. He said others are addressed in a mediation session, bringing the sides together and seeking resolution. Mr. Brinkin said resolutions often include training of staff and addition of anti-discrimination policies.

Mr. Brinkin said that complaints that cannot be successfully settled in mediation are investigated. He said the staff's role becomes similar to that of a jury, which must be persuaded through evidence that discrimination occurred. If such evidence exists, a finding of discrimination is presented to the HRC Director, and, if the Director agrees, issued as a public record. He said City contractors found to have discriminated can be subject to sanctions.

Commissioner Knutzen asked roughly how many complaints are handled by the LGBTH Division and by the Commission. Mr. Brinkin said he hopes a computerized tabulation system will soon be online. He said the LGBTH Division typically receives 20 or 30 complaints per month.

Commissioner Lee whether the Division's anti-discrimination messages are being provided to citizens in different languages. Mr. Brinkin said that a better job could still be done of making the Division's services known, and that while brochures are distributed, they could be distributed more widely and in additional languages.

Employment, Housing and Public Accommodations Division (EHPA)
Commission Staff Member Pansy Waller reported on an assignment she handles within the Division, representing Commission Chair Saliba-Malouf on the CEDA (Convention on the Elimination of All Forms of Discrimination Against Women) task force. She said CEDA has not been ratified by the United States although it has been adopted in many other industrialized nations. Ms. Waller said the task force meets monthly, and she named its members. She said the task force is currently working to present a progress report to Mayor Brown and the Board of Supervisors.

Commissioner Dimapilis asked whether CEDA was the group that had sent a group of young women to Africa, and said she had attended a conference for the group. Commissioner Knutzen said that the Human Rights Commission is a member of the CEDA task force. She said the task force evaluates departments within San Francisco City government according to a gender analysis focusing on fairness and equity. Commissioner Knutzen suggested that task force minutes periodically be shared with the Commissioners.

Commissioner Baghdassarian asked whether it might be appropriate to contact Senators Boxer and Feinstein to urge that the CEDA Convention be ratified. Commissioner Knutzen said that the Convention is stalled in the Senate Judiciary Committee. Commissioner

Baghdassarian suggested that the Commission might want to express support for reviving the Convention.

MBE/WBE Division
Commission Staff Member Diana Rathbone described the bidding process for a particular construction contract involving Hetch Hetchy, explaining the various stages. She went over the spreadsheet; the advertisement, which stated the available discount; the bids received; the discount application; the subcontractors' list; and the approval of the award.

REGULAR BUSINESS

DISCUSSION CONCERNING REPORTED ACTS OF VIOLENCE AGAINST FALUN GONG PRACTITIONERS

Commission Staff Member Emil De Guzman presented a report on an incident of violence against a Falun Gong practitioner at Portsmouth Square in October 2000. Director Harmon asked whether the Commission would like to put a letter of concern to the Police Department on a future agenda. Commissioner Sparks said she would to see a letter expressing concern the Police Department to continue to monitor the situation. Director Harmon said a draft letter would be prepared.

COMMITTEE REPORTS

Lesbian Gay Bisexual Transgender Advisory Committee
Commissioner Knutzen presented three letters for Commission approval. The first letter urged the New York City Commission on Human Rights to support a proposed gender identity law for New York City. Commissioner Knutzen said the Committee had analyzed a legal memorandum by the New York City Commission stating that gender identity is adequately covered by other laws, and had crafted a letter taking that memorandum into account. She said that since protection for transgendered people has been explicitly in force in San Francisco, 40 percent of the LGBT Advisory Committee's caseload has been transgender claims, so that passing a specific law may have the effect of encouraging more people to enforce their rights.

The motion to approve the letter was moved (Knutzen) and seconded (Dimapilis).

Commissioner Knutzen read several changes to the letter into the record: changing the last sentence of the second paragraph to end "...many of them would not have been covered under current disability laws"; beginning the third paragraph, "In San Francisco, we have defined transgender as an umbrella term..."; and in the next-to-last paragraph, removing

the quotation marks and substitute the word "encourage" for "push for." Commissioner Saliba-Malouf suggested that the letter clarify that the New York legislation is a city bill. As amended, the letter was approved (unanimously).

The second letter was directed to the City Department of Public Health, urging them to review health-related recommendations in the LGBT Economic Empowerment Report and to visit the LGBT Advisory Committee. Commissioner Sparks said that these letters had been vetted by an Economic Empowerment Task Force, consisting of some members of the Advisory Committee and some members of the community. Commissioner Knutzen asked that a copy of the letter be sent to Roma Guy of the San Francisco Health Commission.

With that change, the letter was moved (Sparks), seconded (Lee) and approved (unanimously).

The third letter was directed to the San Francisco Unified School District, inviting them to address the Commission regarding implementation of State anti-discrimination guidelines for LGBT students, and education-related recommendations in the LGBT Economic Empowerment Report. Commissioner Knutzen suggested that copies of the letter be sent to Mark Sanchez of the Board of Education, and Kevin Gogin and Crystal Jang of Support Services for Minority Youth in San Francisco.

With that change, the letter was moved (Dimapilis) and seconded (Baghdassarian). Commissioner Sparks noted some typos in the letter. With this further change, the letter was approved (unanimously).

MBE/WBE Committee
The report was carried over to the next Commission meeting.

There were no other committee reports.

COMMISSIONER DISCUSSION OF MATTERS OF INTEREST FOR POSSIBLE INCLUSION OF FUTURE AGENDA ITEMS

Commissioner Baghdassarian asked whether a presentation on the Armenian genocide could be put on the agenda after the summer. Commissioner Saliba-Malouf said the topic is important and she would like to hear more on it.

Commissioner Knutzen suggested that the Commissioners' next package include items from the San Francisco Chronicle's coverage collecting news from "ethnic and community media," so that Commissioners can give input on such coverage. Director Harmon said the articles would be included in the package.

ADJOURNMENT

The meeting was adjourned at 6:49 p.m.

NEXT MEETING

DATE: August 9, 2001

TIME: 4:30 P.M.

PLACE: 1 Dr. Carlton B. Goodlett Place
Room 416
San Francisco, CA 94102

Respectfully submitted,

Virginia Harmon
Interim Director

By: Kimberly Carver
Commission Secretary

Human Rights Commission

City and County of San Francisco

Willie L. Brown, Jr., Mayor

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Regular Meeting Agenda

Thursday, August 9, 2001
4:30 p.m.
City Hall, Room 416
1 Dr. Carlton B. Goodlett Place

ROSTER OF COMMISSIONERS

Ghada Saliba-Malouf, *Chair*
Larry Lee, *Vice Chair*
Haig Baghdassarian
Shirley Dimapilis
Wilfred W. Hsu
Martha Knutzen
Leslie Littleton
Antonio Salazar-Hobson
Theresa Sparks
Charles L. Ward

Virginia M. Harmon, *Interim Director*

Kimberly Carver, *Commission Secretary*

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In order to assist the City's efforts to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products. Please help the City to accommodate these individuals.

POLICY ON CELL PHONE, PAGERS, AND ELECTRONIC DEVICES

The ringing of and use of cell phones, pagers and similar sound-producing electronic devices are prohibited at this meeting. Please be advised that the Chair may order the removal from the meeting room of any person(s) responsible for the ringing or use of a cell phone, pager, or other similar sound-producing electronic devices.

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Government's duty is to serve the public, reaching its decisions in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This Ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review. For more information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the Ordinance, contact the Donna Hall at the Sunshine Ordinance Task Force, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102-4683; Office 415-554-7724; Fax 415-554-5163; E-mail: Donna_Hall@ci.sf.ca.us

Citizens interested in obtaining a free copy of the Sunshine Ordinance can request one from Ms. Hall, or by printing Chapter 67 of the San Francisco Administrative Code on the internet at http://www.ci.sf.ca.us/sunshine.htm.

ATTENTION: Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance (SF Administrative Code 16.520 – 16.534) to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the Ethics Commission at 1390 Market Street, #701, San Francisco, CA 94102, telephone (415)554-9510 fax (415)703-0121 and web site http://www.ci.sf.ca.us/ethics.

Items designated by "CC" shall automatically be approved, unless a request for removal for discussion or explanation is received from the audience, Commission or Commission staff.

Public testimony will be taken on each item. Public testimony is limited to three minutes.

ORDER OF BUSINESS

1. CALL TO ORDER

2. ROLL CALL

3. APPROVAL OF MINUTES

   a. Approval of minutes of Commission Meeting of July 26, 2001
   [➲Action Item]

4. CIRCULATE GENERAL COMMUNICATIONS FILE

5. PUBLIC COMMENT ON ITEMS NOT ON THE AGENDA
   Members of the public may address the Commission on matters that are within the Commission's jurisdiction and are not on today's agenda. Public comment is limited to three minutes.

6. REPORT OF THE CHAIR

   a. Individual Commissioner Reports on Community Activities
   [◎Discussion Item]

   b. Resolution commending San Francisco Police Commission and Office of Citizen Complaints for developing and passing Policy Statement #0390-99, which calls for the development and implementation of a training curriculum and protocols on the treatment of transgender individuals.
   [◎Discussion Item ➲Action Item *Attachment provided*]

7. REPORT OF THE DIRECTOR

   a. Chapter 12.D.A. Waiver Report for July
   [◎Discussion Item *Attachment provided*]
   b. Presentation regarding waiver of Chapter 12.D.A. requirements for Pipeline Disinfection Training for the Public Utilities Commission
   [◎Discussion Item]
   c. HRC Division Reports
      i. Employment, Housing and Public Accommodations Division

[◎Discussion Item]

ii. MBE/WBE/LBE Division
[◎Discussion Item *Attachment provided*]

iii. LGBTH Division
[◎Discussion Item]

d. Presentation and acknowledgment of summer projects by HRC Interns
[◎Discussion Item ➲Action Item]

REGULAR BUSINESS

8. Authorization of issuance of a subpoena for Marivic Bamba in the matter of Liberty Builders' Appeal of Human Rights Commission Determination, AAA Case # 74 488 01279 00 RR1.
[◎Discussion Item ➲Action Item]

9. Approval of appointment of a hearing officer in the appeal of HRC Director's denial of WBE/MBE certification to Raibon & Colbert.
[◎Discussion Item ➲Action Item *Attachment provided*]

10. Presentation regarding legislation requiring all employers with Business Tax Registration Certificate from the City to post HRC's nondiscrimination poster.
[◎Discussion Item *Attachment provided*]

11. Discussion and possible approval of letter of concern to San Francisco Police Department regarding incident of violence against Falun Gong practitioner.
[◎Discussion Item ➲Action Item]

12. Discussion regarding media presentation of community issues.
[◎Discussion Item *Attachment provided*]

13. COMMITTEE REPORTS

a. Lesbian Gay Bisexual Transgender Advisory Committee
Commissioner Martha Knutzen, Chair
Commissioner Theresa Sparks, Vice Chair
Larry Brinkin, Committee Staff

i. No report.

NOTE: *The next meeting of the Lesbian Gay Bisexual Transgender Advisory Committee will be held on Tuesday, August 21, 2001 at 5:30 p.m. at the Human Rights Commission offices, 25 Van Ness Avenue, Eighth Floor Conference Room, San Francisco, CA 94102*

b. Employment Committee
Commissioner Larry Lee, Chair
Commissioner Wilfred Hsu, Vice Chair
Pansy Waller, Committee Staff

i. Report of the August 2, 2001, Committee Meeting.

NOTE: *The next meeting of the Employment Committee will be held on Thursday, September 6, 2001,at 1:30 p.m. at the Human Rights Commission offices, 25 Van Ness Avenue, Eighth Floor Conference Room, San Francisco, CA 94102*

c. Issues Committee
Commissioner Theresa Sparks, Chair
Emil De Guzman, Committee Staff
i. Report of the July 30, 2001, Committee Meeting.

NOTE: *The next meeting of the Issues Committee will be held on Monday, August 27, 2001,at 5:30 p.m. at the Human Rights Commission offices, 25 Van Ness Avenue, Eighth Floor Conference Room, San Francisco, CA 94102*

d. MBE/WBE/LBE Advisory Committee
Commissioner Charles Ward, Chair
Commissioner Shirley Dimapilis, Vice Chair
Romulus Asenloo, Committee Staff

i. Report of the July 18, 2001, Committee Meeting

NOTE: *The next meeting of the MBE/WBE/LBE Advisory Committee will be held on Wednesday, August 15, 2001, at 5:30 p.m. at the Human Rights Commission offices, 25 Van Ness Avenue, Eighth Floor Conference Room, San Francisco, CA 94102*

e. Youth and Education Committee
Commissioner Shirley Dimapilis, Chair
Commissioner Charles L. Ward, Vice Chair
Toni A. Delgado, Committee Staff
Melinda Wesley, Committee Staff

i. Report of the August 1, 2001, meeting.

NOTE: *The next meeting of the Youth and Education Committee will be held on Wednesday, September 5, 2001, at 4:30 p.m. at the Human Rights Commission offices, 25 Van Ness Avenue, Eighth Floor Conference Room, San Francisco, CA 94102*

14. COMMISSIONER DISCUSSION OF MATTERS OF INTEREST FOR POSSIBLE INCLUSION OF FUTURE AGENDA ITEMS

15. ADJOURNMENT

All meetings are held at: City Hall, 1 Dr. Carlton B. Goodlett Place Room 416, San Francisco, CA 94102, unless otherwise stated

NEXT MEETING: THURSDAY, SEPTEMBER 6, 2001

Human Rights Commission

City and County of San Francisco

Willie L. Brown, Jr., Mayor

Minutes

Regular Meeting
Thursday, August 9, 2001

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ROSTER OF COMMISSIONERS

Ghada Saliba-Malouf, *Chair*
Larry Lee, *Vice Chair*
Haig Baghdassarian
Shirley Dimapilis
Wilfred W. Hsu
Martha Knutzen
Leslie Littleton
Antonio Salazar-Hobson
Theresa Sparks
Charles L. Ward

Virginia M. Harmon, *Interim Director*

Kimberly Carver, *Commission Secretary*

ORDER OF BUSINESS

CALL TO ORDER
Commission Chair Saliba-Malouf called the meeting to order at 4:41 p.m.

ROLL CALL

Commissioners Present
Ghada Saliba-Malouf, *Chair* (left 5:33)
Haig Baghdassarian
Shirley Dimapilis
Theresa Sparks
Charles Ward
Leslie Littleton Wilkinson (arrived 5:19)

Commissioners Excused
Larry Lee, *Vice Chair*
Wilfred W. Hsu
Martha Knutzen
Antonio Salazar-Hobson

HRC Staff Present
Virginia M. Harmon, Interim Director; Kimberly Carver, Commission Secretary; Frank Anderson, Emil De Guzman, Cynthia Goldstein, Veronica Ng, Ellise Nicholson, Hadas Rivera-Weiss, Pansy Waller, Melinda Wesley, Janel Wong; Interns Jerald Chinn, Gerald Greene, Jeremiah Khaleq, Fawn Osborne, Angel Saemai, Murray Scheel, Crystal Tajalle, Dylan Vade

Guests Present
Catherine Barnes, Deputy City Attorney; Katie Hobin, Deputy City Attorney; Jonnie Robinson

A quorum was not present at the start of the meeting.

CIRCULATE GENERAL COMMUNICATIONS FILE
There was no general communications file.

PUBLIC COMMENT ON ITEMS NOT ON THE AGENDA
There was no public comment.

Because no quorum was present, Agenda items were taken out of order.

REPORT OF THE DIRECTOR

Presentation and acknowledgment of summer projects by HRC interns
Director Harmon thanked the interns who worked at the Commission during the summer and said that their activities enriched the work of the Commission. Each intern was given a Certificate of Appreciation and briefly described his or her summer activities.

Murray Scheel, a George Washington University Law School student, investigated problems faced by Bay Area transgendered people in the criminal justice system.

Gerald Greene, a law student at John F. Kennedy University, worked with the contract certification unit, doing site visits to MBE/WBE/LBE firms.

Crystal Tajalle, a student at Boalt Hall Law School, worked on contract certification, reviewing files and doing site visits, and also did special projects.

Dylan Vade, a Stanford Law School student, interned in the LGBTH Division. He worked on complaints dealing with gender identity discrimination and reviewed the gender identity guidelines.

Fawn Osborne, a student at University of California San Diego, worked on special projects, including the HRC's Youth Resource Guide.

Angel Saemai, a student at the University of San Francisco, worked with the Employment, Housing and Public Accommodations Division.

Jerald Chinn, a student at McAteer High School, worked with the housing unit and on the Youth Resource Guide.

Jeremiah Khaleq, a student at Mission High School, assisted staff and worked on the Youth Resource Guide.

Chapter 12.D.A. Waiver Report for July
Director Harmon presented the Waiver Report and explained that many of them involved contract renewals.

Commissioner Sparks questioned the waiver for the Online Computer Library Center, asking whether there might be other suppliers for the service. Director Harmon explained that the waiver involved a statewide source for online cataloguing and is the only vendor providing that service.

Commissioner Sparks asked whether waivers involving multiyear contracts must be renewed every year. The Director said such waivers are typically for the term of the contract, but that some contracts must be renewed annually, particularly those for the Department of Public Health.

Commissioner Baghdassarian asked about a purchase of fine art by the Arts Commission, wondering if such a waiver might need to be scrutinized carefully because of the subjectivity involved, and asking what the review process entailed. Director Harmon responded that the Arts Commission has a selection process that has been approved by the HRC, and that this process is reviewed by HRC staff to focus on representation by minority and women artists.

HRC Division Reports

Employment, Housing and Public Accommodations Division
HRC Staff Member Frank Anderson discussed the subject of intergroup tension among various communities in San Francisco. Mr. Anderson said that such tensions have been present since the HRC's inception in 1964. He said that areas in which the HRC currently works to reduce intergroup tension include tenants' elections; the Civic Center construction project; and a dispute concerning a grocer in Ingleside. Commissioner Saliba-Malouf noted that problems periodically surface between Arab-American grocers and African-American community residents and that the HRC has facilitated in easing such problems. Mr. Anderson said the Division also has been involved in an issue stemming from the sale of a YWCA in Japantown.

In response to a question from Commissioner Saliba-Malouf, Mr. Anderson said that the HRC partners with Intergroup Clearinghouse in this area. Commissioner Saliba-Malouf suggested that Intergroup Clearinghouse might make a presentation to the Commissioners in the future.

MBE/WBE/WBE Division

HRC Staff Member Melinda Wesley reported on an audit for a joint-venture contract involving the Airport Light Rail System. Ms. Wesley outlined several findings found by the company that performed the audit, Stanton Jones and Associates.

Commissioner Sparks asked what recommendations are likely to be made in the event that the findings are upheld. Director Harmon said possible sanctions include a penalty of up to 10 percent of the contract amount, loss of certification, and debarment from contracting with the City.

LGBTH Division

HRC Staff Member Ellise Nicholson discussed two of the Division's recent successes in handling complaints. One was an employment case alleging discrimination based on HIV status; one was a public-accommodation case involving an allegation of sexual orientation discrimination.

Commissioner Littleton Wilkinson arrived at 5:19 p.m. and a quorum was present.

Authorization of issuance of a subpoena for Marivic Bamba in the matter of Liberty Builders' Appeal of Human Rights Commission Determination, AAA Case # 74 488 01279 00 RR1.

Approval of the issuance of the subpoena was moved (Sparks) and seconded (Baghdassarian).

Commissioner Sparks asked whether Ms. Bamba had been approached to appear voluntarily. Director Harmon said yes.

Commissioner Sparks asked whether Ms. Bamba's appearance and testimony would be an integral part of the hearing. Deputy City Attorney Katie Hobin said that Ms. Bamba had been contacted and had initially worked with the City but had subsequently told Ms. Hobin that she would not appear voluntarily. Ms. Hobin said that there had been attempts to issue a subpoena through the hearing officer but that Ms. Bamba was not successfully served. Ms. Hobin said that therefore, the HRC is being approached to ensure that the subpoena is properly issued, with the intention that Ms. Bamba appear on September 20. Ms. Hobin said Ms. Bamba's appearance is integral. Ms. Hobin said the issue is whether or not Ms. Bamba abused her discretion in making a determination and that Ms. Bamba is the only person who can specifically answer that question.

Commissioner Baghdassarian asked whether there is any means to issue a subpoena without the HRC taking action. Ms. Hobin responded that it is the HRC that issues the subpoena. Commissioner Saliba-Malouf said that the HRC has separately attempted to contact Ms. Bamba and secure her appearance.

Commissioner Littleton Wilkinson asked whether Ms. Hobin had said that three different days had been set for Ms. Bamba to voluntarily disclose information. Ms. Hobin said that those dates were in May and that Ms. Bamba had appeared by telephone. She said that Ms. Bamba had also been asked to appear in person to give additional testimony and that dates were set in July but that Ms. Bamba said she would not then appear voluntarily.

Commissioner Saliba-Malouf asked whether there was any flexibility as to when Ms. Bamba was to contact Ms. Hobin. Ms. Hobin said there is not, because it is a set hearing date, although there is some flexibility as to the hour of the day.

The motion was approved (unanimously).

Resolution commending San Francisco Police Commission and Office of Citizen Complaints for developing and passing Policy Statement #0390-99, which calls for the development and implementation of a training curriculum and protocols on the treatment of transgender individuals.

A motion to approve the resolution was moved (Dimapilis) and seconded (Baghdassarian).

Commissioner Sparks said that this item is the one that she and Commissioner Knutzen had informed the Commission about during several previous meetings. She said former Police Commissioner Dennis Herrera has worked with them, as have Police Commissioners Connie Perry and Wayne Friday. She said the commendation is appropriate because the Police Department and Police Commission have had difficulty embracing such a proposal in the past and now have enthusiastically embraced the ideas of a training program and formation of a task force.

Commissioner Littleton Wilkinson said she was pleased to see the resolution going forward because discriminatory or disparaging treatment of anyone is inappropriate.

The motion was approved (unanimously).

Approval of appointment of a hearing officer in the appeal of HRC Director's denial of WBE/MBE certification to Raibon & Colbert.

Director Harmon explained that she has requested the approval of a hearing officer in a case in which the Director determined to deny MBE/WBE certification.

Appointment of the hearing officer was moved (Dimapilis), seconded (Sparks) and approved (unanimously).

Discussion and possible approval of letter of concern to San Francisco Police Department regarding incident of violence against Falun Gong practitioner.

A motion to send the letter was moved (Dimapilis), seconded (Baghdassarian) and approved (unanimously).

PUBLIC COMMENT ON ITEMS EITHER ON OR OFF ON THE AGENDA
Public comment was again called for. There was no public comment.

APPROVAL OF MINUTES
Approval of Minutes of Commission Meeting of July 26, 2001
The minutes of the July 26, 2001, meeting were moved (Dimapilis), seconded (Baghdassarian) and approved (unanimously).

Chair Saliba-Malouf left the meeting at 5:33 and turned the proceedings over to Commissioner Ward. A quorum was lost.

Individual Commissioner Reports on Community Activities

Commissioner Dimapilis said she and Commissioner Baghdassarian had just attended the signing of the 2001-02 City budget.

Commissioner Baghdassarian said he attended a commemoration of the International Hotel, organized in part by HRC Staff Member Emil De Guzman. Commissioner Sparks praised Mr. De Guzman's work in the International Hotel effort. Director Harmon said a presentation on the International Hotel will be part of a future agenda. Mr. De Guzman briefly described the International Hotel's history and the Human Rights Commission's role therein, and discussed the hotel's significance to the Filipino-American community.

Presentation regarding waiver of Chapter 12.D.A. requirements for Pipeline Disinfection Training for the Public Utilities Commission.
This item was continued.

Presentation regarding legislation requiring all employers with Business Tax Registration Certificate from the City to post HRC's nondiscrimination poster.
HRC Staff Member Hadas Rivera-Weiss discussed this requirement, which has recently been expanded under the law to apply to all businesses holding registration certificates. She said an announcement regarding the legislation has been printed and is being mailed to about 76,000 businesses, and that such announcements must be sent to about 5,000 new businesses every year. She said the poster sent to employers includes protected categories not covered under federal or state law, such as gender identity, weight, height, and domestic partner status, and that the law also specifically protects people with HIV and AIDS.

Commissioner Ward asked whether the notice could be mailed out with whatever licenses are mailed to businesses. City Attorney Barnes said that the City ordinance specifically requires the HRC to do the mailing.

Discussion regarding media presentation of community issues.
This item was continued.

COMMITTEE REPORTS

Employment Committee
HRC Staff Member Pansy Waller reported on the meeting of August 2, 2001. She said the committee heard presentations on the Minimum Compensation Ordinance and the Health Care Accountability Ordinance. She said the committee also received a draft proposal on good-faith-effort standards for employers. Commissioner Baghdassarian said he attended the committee meeting and that the presentations were enlightening.

Issues Committee
HRC Staff Member Emil De Guzman reported on the meeting of July 30, 2001. He said that Commissioner Baghdassarian was introduced, and that Commissioner Sparks then provided a presentation on the HRC's work and the role of the committee. Mr. De Guzman said the committee's Recruitment Subcommittee has been active. He said the committee had discussions on medical marijuana use; employment problems in Bayview-Hunters Point; and racial justice issues. Mr. De Guzman said a committee retreat is scheduled for September 29.

MBE/WBE/LBE Committee
Reporting on the meeting of July 18, 2001, Commissioner Dimapilis said the committee discussed joint venture requirements. Commissioner Ward said the committee discussed the readability of quarterly reports. He said the committee has asked for background

information in order to develop policy recommendations for the HRC, and said he expects policy recommendations to be available shortly.

Commissioner Baghdassarian asked how pervasive is the problem of nonreporting. Director Harmon said much progress has been made in getting departments to report. He asked whether nonreporting departments have been identified and what actions have been taken. The Director said some departments have had difficulty inputting information into the diversity tracking system, and that staff is working with those department.

Commissioner Littleton Wilkinson said the committee, at one time, requested that the report list all those agencies that were not reporting. She said she is glad that there has been improvement since then.

Commissioner discussion of matters of interest for possible inclusion of future agenda items.
There was no discussion. Commissioner Baghdassarian commended the work of the summer interns, as well as the Director and HRC Staff.

ADJOURNMENT
The meeting was adjourned at 6:08 p.m. in memory of John Essex, a colleague of Commissioner Saliba-Malouf who died on August 6, 2001.

NEXT MEETING

DATE: October 11, 2001

TIME: 4:30 P.M.

PLACE: 1 Dr. Carlton B. Goodlett Place
Room 416
San Francisco, CA 94102

Respectfully submitted,

Virginia Harmon
Interim Director

By: Kimberly Carver
Commission Secretary

City and County of San Francisco

Willie Lewis Brown, Jr.
Mayor

Human Rights Commission
Contract Compliance
Dispute Resolution/Fair Housing
Minority/Women/Local Business Enterprise
Lesbian Gay Bisexual Transgender & HIV Discrimination

Virginia M. Harmon
Interim Director

SAN FRANCISCO HUMAN RIGHTS COMMISSION

REGULAR MEETING

DATE: Thursday, August 23, 2001

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* * * CANCELLED * * *

Reminder!
The regular meeting of the Human Rights Commission has been cancelled.

The next regular meeting will be:

DATE: Thursday, September 13, 2001
TIME: 4:30 pm
LOCATION: City Hall, Room 416
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102

Kimberly Carver
Commission Secretary

25 Van Ness Avenue
Suite 800
San Francisco
California 94102-6033

TEL (415) 252-2500
FAX (415) 431-5764
TDD (415) 252-2550
www.ci.sf.ca.us/sfhumanrights

City and County of San Francisco

Willie Lewis Brown, Jr.
Mayor

Human Rights Commission
Contract Compliance
Dispute Resolution/Fair Housing
Minority/Women/Local Business Enterprise
Lesbian Gay Bisexual Transgender & HIV Discrimination

Virginia M. Harmon
Interim Director

NOTICE OF PUBLIC HEARING
RAIBON & COLBERT ASSOCIATES, LLC

A Hearing Officer appointed by the Human Rights Commission, City and County of San Francisco will hold an administrative review hearing on Wednesday, August 29, 2001 starting at 2:00 p.m., in 25 Van Ness Avenue, Room 320, San Francisco, California. This hearing will be conducted pursuant to the request for appeal submitted by Regina R. Colbert, President, Raibon & Colbert Associates, LLC, in the following matter:

Director's Decision to Deny MBE/WBE/LBE Certification to Raibon & Colbert Associates, LLC

This will be a hearing before Administrative Law Judge Andrew Yick on the merits of the matter, conducted pursuant to San Francisco Administrative Code Section 12.D.A. 6.(B) and Human Rights Commission Rules and Regulations, Rule VII (F).

Anyone desiring further information on the above matter or hearing procedures may contact Deputy City Attorney David Shipper at the Office of the City Attorney, City Hall, Room 234, #1 Dr. Carlton B. Goodlett Place, San Francisco, California 94102, or telephone (415) 554-4671, or fax (415) 554-4699.

Virginia Harmon, Interim Director
Human Rights Commission

Approved: August 9, 2001

cc: Administrative Law Judge Andrew Yick
Regina R. Colbert, President, Raibon & Colbert Associates, LLC
Catharine S. Barnes, Counsel to Human Rights Commission
David Shipper, Counsel to the Hearing Officer

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Human Rights Commission

City and County of San Francisco

Willie L. Brown, Jr., Mayor

3/01

Regular Meeting Agenda

Thursday, September 13, 2001
4:30 p.m.
City Hall, Room 416
1 Dr. Carlton B. Goodlett Place

ROSTER OF COMMISSIONERS

Ghada Saliba-Malouf, *Chair*
Larry Lee, *Vice Chair*
Haig Baghdassarian
Shirley Dimapilis
Wilfred W. Hsu
Martha Knutzen
Leslie Littleton
Antonio Salazar-Hobson
Theresa Sparks
Charles L. Ward

Virginia M. Harmon, *Interim Director*

Kimberly Carver, *Commission Secretary*

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DISABILITY ACCESS

The City Hall Conference Room is wheelchair accessible. The closest accessible BART station is the Civic Center Station and the closest Muni Metro station is the Van Ness Station. Accessible MUNI lines serving this location are 42 and 71. There is accessible parking in the vicinity of City Hall, including the Civic Center Underground Garage. The following services are available upon request with 48-hour advance notice: American Sign Language interpreters, use of a reader during a meeting or sound enhancement system. Accessible seating for persons with disabilities can be made available. Following a meeting, meeting proceedings can be made available in alternative formats. To make arrangements or for information, contact Carla Vaughn 252-2500 (Voice) or 252-2550 (TDD).

In order to assist the City's efforts to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products. Please help the City to accommodate these individuals.

POLICY ON CELL PHONE, PAGERS, AND ELECTRONIC DEVICES

The ringing of and use of cell phones, pagers and similar sound-producing electronic devices are prohibited at this meeting. Please be advised that the Chair may order the removal from the meeting room of any person(s) responsible for the ringing or use of a cell phone, pager, or other similar sound-producing electronic devices.

KNOW YOUR RIGHTS UNDER THE SUNSHINE ORDINANCE

Government's duty is to serve the public, reaching its decisions in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This Ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review. For more information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the Ordinance, contact the Donna Hall at the Sunshine Ordinance Task Force, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102-4683; Office 415-554-7724; Fax 415-554-5163; E-mail: Donna_Hall@ci.sf.ca.us

Citizens interested in obtaining a free copy of the Sunshine Ordinance can request one from Ms. Hall, or by printing Chapter 67 of the San Francisco Administrative Code on the internet at http://www.ci.sf.ca.us/sunshine.htm.

ATTENTION: Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance (SF Administrative Code 16.520 – 16.534) to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the Ethics Commission at 1390 Market Street, #701, San Francisco, CA 94102, telephone (415)554-9510 fax (415)703-0121 and web site http://www.ci.sf.ca.us/ethics.

Items designated by "CC" shall automatically be approved, unless a request for removal for discussion or explanation is received from the audience, Commission or Commission staff.

Public testimony will be taken on each item. Public testimony is limited to three minutes.

ORDER OF BUSINESS

1. CALL TO ORDER

2. ROLL CALL

3. APPROVAL OF MINUTES

   a. Approval of minutes of Commission Meeting of August 9, 2001
   [➲Action Item]

4. CIRCULATE GENERAL COMMUNICATIONS FILE

5. PUBLIC COMMENT ON ITEMS NOT ON THE AGENDA
   Members of the public may address the Commission on matters that are within the Commission's jurisdiction and are not on today's agenda. Public comment is limited to three minutes.

6. REPORT OF THE CHAIR

   a. Individual Commissioner Reports on Community Activities
   [◎Discussion Item]
   b. Resolution honoring the life of John H. Essex
   [◎Discussion Item]
   c. Discussion regarding cancellation of September 27, 2001, Commission meeting
   [◎Discussion Item ➲Action Item]
   d. Appointment of Commissioner Haig Baghdassarian to Issues Committee
   [◎Discussion Item]

7. REPORT OF THE DIRECTOR

   a. Presentation regarding waiver of Chapter 12.D.A. requirements for Pipeline Disinfection Training for the Public Utilities Commission
   [◎Discussion Item]

   b. HRC Division Reports
      i. Employment, Housing and Public Accommodations Division
         a) Retail Discrimination Forum (Herrera)
         [◎Discussion Item]

b) Report on Housing Case: John Artal v. Heather Sharp et al. (Ilumin)
[◎Discussion Item]

ii. MBE/WBE/LBE Division

a) Chapter 12.D.A. Waiver Log for August
[◎Discussion Item *Attachment provided*]

b) September 1, 2001, Quarterly Report
[◎Discussion Item *Attachment previously provided*]

iii. LGBTH Division:

Review of Equal Benefits Informational Materials and Vendor Forms (Treanor)
[◎Discussion Item]

REGULAR BUSINESS

8. Report on history of International Hotel demolition and reconstruction (DeGuzman, Smith)
[◎Discussion Item]

9. Discussion regarding media presentation of community issues.
[◎Discussion Item *Attachment provided*]

10. COMMITTEE REPORTS

a. Lesbian Gay Bisexual Transgender Advisory Committee
Commissioner Martha Knutzen, Chair
Commissioner Theresa Sparks, Vice Chair
Larry Brinkin, Committee Staff

i. Report of Committee meeting of August 21, 2001.
[◎Discussion Item]

ii. Approval of letter to the San Francisco Rent and Arbitration Board, inviting the Board to review recommendations in the LGBT Economic Empowerment Report that for LGBT inclusion in the Board's housing study.
[◎Discussion Item ➲Action Item *Attachment provided*]

iii. Approval of letters to LYRIC, Community United Against Violence, and the Mayor's Office of Children, Youth, and Their Families, inviting them to review recommendations in the LGBT Economic Empowerment Report calling for the creation of a mentorship program for LGBT youth.
[◎Discussion Item ➲Action Item *Attachments provided*]

NOTE: *The September meeting of the Lesbian Gay Bisexual Transgender Advisory Committee is canceled. The next meeting of the Lesbian Gay Bisexual Transgender Advisory Committee will be held on Tuesday, October 16, 2001 at 5:30 p.m. at the Human Rights Commission offices, 25 Van Ness Avenue, Eighth Floor Conference Room, San Francisco, CA 94102*

b. Employment Committee
Commissioner Larry Lee, Chair
Commissioner Wilfred Hsu, Vice Chair
Pansy Waller, Committee Staff

i. Report of the September 6, 2001, Committee Meeting.

NOTE: *The next meeting of the Employment Committee will be held on Thursday, October 4, 2001,at 1:30 p.m. at the Human Rights Commission offices, 25 Van Ness Avenue, Eighth Floor Conference Room, San Francisco, CA 94102.*

c. Issues Committee
Commissioner Theresa Sparks, Chair
Commissioner Haig Baghdassarian, Vice Chair
Emil De Guzman, Committee Staff

i. Report of the Wednesday, September 5, Committee Meeting.

NOTE: *The next meeting of the Issues Committee will be held on Thursday, October 17, at 5:30 p.m. at the Human Rights Commission offices, 25 Van Ness Avenue, Eighth Floor Conference Room, San Francisco, CA 94102.*

d. MBE/WBE/LBE Advisory Committee
Commissioner Charles Ward, Chair
Commissioner Shirley Dimapilis, Vice Chair
Romulus Asenloo, Committee Staff

i. Report of the August 15, 2001, Committee Meeting.
ii. Discussion and possible adoption of letters from Human Rights Commission to City department heads regarding revisions to diversity tracking system.
[◎Discussion Item ➲Action Item *Attachment provided*]

NOTE: *The next meeting of the MBE/WBE/LBE Advisory Committee will be held on Wednesday, September 19, 2001, at 5:30 p.m. at the Human Rights Commission offices, 25 Van Ness Avenue, Eighth Floor Conference Room, San Francisco, CA 94102*

e. Youth and Education Committee
Commissioner Shirley Dimapilis, Chair

Commissioner Charles L. Ward, Vice Chair
Toni A. Delgado, Committee Staff
Melinda Wesley, Committee Staff

i. No report.

NOTE: *The next meeting of the Youth and Education Committee will be held on Wednesday, October 3, 2001, at 4:30 p.m. at the Human Rights Commission offices, 25 Van Ness Avenue, Eighth Floor Conference Room, San Francisco, CA 94102*

CLOSED SESSION

11.. Closed Session pursuant to Government Code Section 54957 and San Francisco Administrative Code Section 67.10(b):
PUBLIC EMPLOYEE PERFORMANCE EVALUATION
Interim Director, Virginia M. Harmon
[➲Action Item]

12. RECONVENE IN OPEN SESSION
Vote to elect whether to disclose any or all discussions held in closed session pursuant to San Francisco Administrative Code Section 67.12(a))
[➲Action Item]

RETURN TO REGULAR BUSINESS

13. .COMMISSIONER DISCUSSION OF MATTERS OF INTEREST FOR POSSIBLE INCLUSION OF FUTURE AGENDA ITEMS

14..ADJOURNMENT

All meetings are held at: City Hall, 1 Dr. Carlton B. Goodlett Place Room 416, San Francisco, CA 94102, unless otherwise stated.

NEXT MEETING: THURSDAY, OCTOBER 11, 2001

Human Rights Commission

City and County of San Francisco

Willie L. Brown, Jr., Mayor

Minutes

Regular Meeting
Thursday, September 13, 2001

DRAFT

ROSTER OF COMMISSIONERS

Ghada Saliba-Malouf, *Chair*
Larry Lee, *Vice Chair*
Haig Baghdassarian
Shirley Dimapilis
Wilfred W. Hsu
Martha Knutzen
Leslie Littleton
Antonio Salazar-Hobson
Theresa Sparks
Charles L. Ward

Virginia M. Harmon, *Interim Director*

Kimberly Carver, *Commission Secretary*

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ORDER OF BUSINESS

CALL TO ORDER
Commission Chair Saliba-Malouf called the meeting to order at 4:41 p.m.

ROLL CALL
Commissioners Present
Ghada Saliba-Malouf, *Chair*
Larry Lee, *Vice Chair*
Haig Baghdassarian
Wilfred W. Hsu (arrived 5:22)
Martha Knutzen
Antonio Salazar-Hobson (arrived 6:00)
Theresa Sparks

Commissioners Excused
Shirley Dimapilis
Charles Ward
Leslie Littleton Wilkinson

HRC Staff Present
Virginia M. Harmon, Interim Director; Kimberly Carver, Commission Secretary; Frank Anderson, Romulus Asenloo, Larry Brinkin, Emil De Guzman, James Fields, Cynthia Goldstein, Ed Ilumin, Veronica Ng, Diana Rathbone, Carmen Smith, David Treanor, Roel Villacarlos, Pansy Waller, Melinda Wesley, Janel Wong

Guests Present
Catherine Barnes, Deputy City Attorney; Mike Leong, Jonnie Robinson, Linda Wang

A quorum was not present at the start of the meeting. Because no quorum was present, some Agenda items were taken out of order.

CIRCULATE GENERAL COMMUNICATIONS FILE
A general communications file was circulated.

PUBLIC COMMENT ON ITEMS NOT ON THE AGENDA

Charles Walker, president of the African-American Truckers Association, stated his belief that the Human Rights Commission's certification requirements for minority businesses work to the disadvantage of African-American truckers. Mr. Walker voiced concern about Webcor Construction, which, he said, does not give an appropriate share of work to African-Americans and other minorities. Commissioner Saliba-Malouf asked Director Harmon whether she was aware of circumstances concerning the Webcor contract. Director Harmon said she was not but said she would have staff follow up. Commissioner Saliba-Malouf asked Mr. Walker to contact the Director regarding his concerns.

Father Nicholas H. Borzghol of St. Nicholas Church asked that the Commission's resolution condemning discrimination against Arab Americans and Muslim Americans include language asking the media to be fair and not to focus on negative details.

Ali Altaha, representing the Arab Chamber of Commerce in the Bay Area, said his group supports the Commission's proposed resolution, and that a similar resolution had been passed by Oakland's Mayor and City Council.

Tarik Elaydi, of the American Arab Anti-Discrimination Committee of San Francisco, said that in addition to attacks on Arab Americans, Muslim Americans, and people of Middle Eastern Descent, harassment and attacks have been directed at Sikhs and others. He said the Arab American community is upset by the tragedy as well as the backlash. He related incidents affecting his friends and family. He urged the media to act responsibly.

Commissioner Hsu arrived at 5:22 p.m. The roll was called and a quorum was present.

Emergency Item: Policy Statement on Discrimination Against Arab Americans, Muslim Americans and People of Middle Eastern Descent

This item was introduced by Commissioner Saliba-Malouf. City Attorney Catharine Barnes explained that under the Sunshine Ordinance and Brown Act, action may be taken on an item that arises after the Agenda is posted, if all Commissioners present make a good-faith, reasonable determination that the need to take immediate action is so imperative as to threaten serious injury to the public interest if action were deferred. Ms. Barnes said that if the Commission should vote to add the item to the Agenda, then, as a matter of law, a good-faith, reasonable determination would exist that the need to take immediate action is imperative, based on acts of violence that have already occurred.

Commissioner Baghassarian moved to add the emergency item to the Agenda. The motion was seconded (Sparks) and approved (unanimously).

Commissioner Saliba-Malouf asked that comments already made be added to the record.

The motion to adopt the Policy Statement on Discrimination Against Arab Americans, Muslim Americans and People of Middle Eastern Descent, as amended based on comments at the meeting, was moved (Saliba-Malouf) and seconded (Baghdassarian).

Additional Public Comment
Linda Wang of the Department of Public Health addressed the Health Department's concerns over the potential for violence against Arab Americans and others. She said such acts of violence are a public health issue. She said the Department has distributed to employees a request to be aware of potential problems and de-escalate tensions.

Commissioner Saliba-Malouf read the language of the proposed resolution into the record. She said that employers would be added to those held accountable for maintaining a workplace and environment free of discrimination.

Commissioner Knutzen proposed language urging the media to responsibly report current events and avoid stereotyping. She suggested that language supporting the use of legal authority of prevent discrimination be changed to "prevent and respond to" discrimination. She also suggested that the resolution, and the prefatory statement by Commissioner Saliba-Malouf, be sent to the Chronicle and other newspapers. Commissioner Baghdassarian concurred.

Commissioner Sparks said the Board of Supervisors should be encouraged to adopt a similar resolution. Commissioner Saliba-Malouf said that was appropriate.

Additional Public Comment
Based Hubaishy of the American Arab Anti-Discrimination Committee said that certain media comments on the tragedy were exacerbating the situation. He said that terrorism should be addressed on a territorial and statewide basis.

Emily Katz Kishawi of the American Arab Anti-Discrimination Committee suggested changes to the language of the resolution, addressing hate and attacks as well as discrimination and bias. She also suggested that the resolution urge training in hate crimes prevention.

Ali Altaha suggested that the Human Rights Commission establish an office or employ a staff member to serve as a bridge between the Commission and the community, and to document incidents of discrimination. Commissioner Saliba-Malouf said that, in prior public hearings, Arab Americans have consistently testified as to harassment they have faced. She said such testimony has provided the basis for including Arab Americans and Iranian Americans in the 12.B and 12.D ordinances as a protected class.

Carol Russo of the U.S. Department of Justice's Community Relation Service introduced herself and discussed the efforts of her agency in the community.

The policy statement as amended, having been moved and seconded, was approved (unanimously).

Resolution Honoring the Life of John H. Essex
Commissioner Saliba-Malouf praised the life and work of John H. Essex, manager of legal administration at Wells Fargo Bank, and said he had a particular impact on women and minorities. The resolution was moved (Saliba-Malouf) and seconded (Lee). Commissioner Saliba-Malouf read the resolution into the record. She said she was personally grateful for Mr. Essex's efforts and their impact on her own career.

Having been moved and seconded, the resolution was approved (unanimously). Mr. Essex's daughter accepted the resolution on behalf of Mr. Essex's family, and a Wells Fargo representative accepted the resolution on behalf of the Wells Fargo Law Department.

Individual Commissioner Reports on Community Activities
There were no reports.

Discussion regarding cancellation of September 27, 2001, Commission meeting
Commissioner Saliba-Malouf said that, because that meeting would fall on Yom Kippur, she and Director Harmon would find it appropriate to cancel the meeting. There was no objection, and the September 27, 2001, meeting was canceled.

Appointment of Commissioner Haig Baghdassarian to Issues Committee
Commissioner Saliba-Malouf said that Commissioner Baghdassarian has already been serving on, and contributing to, the Issues Committee. She said his appointment as Vice Chair of that Committee is now official. She said that Commissioner Baghdassarian has also expressed interest in helping with other Committees, and suggested that Commissioner Baghdassarian might be available if other Commissioners are not able to attend particular Committee meetings.

APPROVAL OF MINUTES OF COMMISSION MEETING OF AUGUST 9, 2001
Approval of the minutes was moved (Sparks), seconded (Lee) and passed (unanimously).

REPORT OF THE DIRECTOR

Director Harmon reported that the Commission Staff has established a Task Force to deal with community intergroup tensions, specifically relating to acts of bias, discrimination and harassment against the Arab American, Muslim American and Middle Eastern communities. She said the Task Force will be staffed by Larry Brinkin, Kabir Hypolite, Nichole Truax and Ed Ilumin, and possibly others as needed.

Director Harmon reported that a favorable decision had been issued by the 9th Circuit regarding the City's Equal Benefits Ordinance. She said a future meeting would include a presentation on the decision by HRC Staff Members Larry Brinkin and Cynthia Goldstein.

Presentation regarding waiver of Chapter 12.D.A. requirements for Pipeline Disinfection Training for the Public Utilities Commission
Ms. Harmon introduced HRC Staff Member James Fields. Mr. Fields reported that at a previous meeting, Commissioners had questioned "Harry Brown Pipeline Disinfection Training," asking why a City employee could not provide the training. Mr. Fields said that Harry Brown is, in fact, a City employee, so that the question became why the City was contracting with its own employee. Mr. Fields said he had spoken to a representative of the Public Utilities Commission, who told him the waiver would not be submitted to the HRC again.

Commissioner Lee asked the source of the certification process. Mr. Fields said that certification comes from the State Water Quality Control Board. Commissioner Lee questioned whether a jurisdictional problem exists. Mr. Fields said that such problems have been resolved.

Commissioner Salazar-Hobson arrived at 6:00 p.m.

HRC Division Reports

Employment, Housing and Public Accommodations Division
Retail Discrimination Forum
HRC Staff Member Carmen Herrera reported on the Retail Discrimination Forum, a public education forum scheduled for October 11, 2001, at 455 Golden Gate Avenue. She said the HRC is a member of the Retail Discrimination Group established by the Lawyers' Committee for Civil Rights. Ms. Herrera said public accommodations retail discrimination cases have escalated in the Bay Area.

Ms. Herrera said that Commissioner Sparks will be a panelist on the forum. She said it is expected that the forum will lead to new public policy on retail discrimination, as well as an increase in the number of volunteer attorneys in such cases.

Commissioner Knutzen asked what categories of discrimination the forum will emphasize. Ms. Herrera said the forum will cover many of the protected classes covered by the HRC's efforts. Commissioner Knutzen questioned whether discrimination against women would be covered. Ms. Herrera said an elderly female would be among the speakers.

Report on Housing Case: John Artal v. Heather Sharp et al.
HRC Staff Member Ed Ilumin reported on this case, which involved a regulatory ordinance, No. 123.93, limiting restrictions on numbers of occupants. In this case, the tenant's rental agreement said she would be the sole occupant. After the tenant got married, the landlord sued to evict. The tenant won in court, but the landlord, on appeal, is arguing that the local ordinance is pre-empted by state law. The City Attorney has submitted a brief arguing otherwise. The Commission is hopeful that the Appellate Division will rule in favor of the City so that housing opportunities for San Franciscans can be maximized.

Commissioner Baghdassarian asked whether there might be health-related reasons to limit the occupancy of particular units. Mr. Ilumin said the regulatory ordinance contains a provision intended to prevent overcrowding.

MBE/WBE/WBE Division
Chapter 12.D.A. Waiver Report for August
HRC Staff Member James Fields presented the August Waiver Report. Commissioner Sparks questioned the waivers for Physiologic Reps. Inc., Iron Mountain Records Management and VWR Scientific. Mr. Fields said that more information would be provided.

September 1, 2001, Quarterly Report
HRC Staff Member Melinda Wesley presented the report and read from its summary. She reported the percentages for MBE firms and for WBE firms as a portion of all money

awarded by City departments, broken down by type of contract. She summarized the Appendices to the Quarterly Report.

Commissioner Lee asked for clarification as to which companies the Quarterly Report applies to. He also asked whether HRC guidelines track minority hiring among subcontractors. Ms. Wesley said the Quarterly Report did not include employee information, but that Ordinance 12.B requires the HRC to monitor employee numbers. Commissioner Lee asked how such data might be obtained. Ms. Wesley said that HRC forms include such information.

Commissioner Sparks asked whether a similar report exists concerning waivers. Director Harmon said that all the contracts in the monthly waiver log are incorporated into the diversity tracking system.

Commissioner Knutzen asked whether enough consistent data exists to track over time. Statistician Mike Leong said that, as additional data is collected, this can be reported. Director Harmon said that such reports have been done for the MBE/WBE Advisory Committee and can be brought to Commission meetings.

Commissioner Lee noted that the percentage of women-owned telecommunications contractors seemed low, and he asked if the HRC is trying to increase this number. Director Harmon concurred that minority and women percentages for that industry are low and said the HRC is working with City departments to address the situation.

LGBTH Division
Review of Equal Benefits Informational Materials and Vendor Forms
This item was continued.

REGULAR BUSINESS

Report on History of International Hotel Demolition and Reconstruction
HRC Staff Member Emil De Guzman made a visual presentation, preceded by a short break to set up equipment. Mr. De Guzman discussed the hotel's history and the history of the city's Filipino American community, dating from the beginning of the 20th century. He discussed the eviction of tenants from the International Hotel starting in the 1960s, the formation of a tenants' association, and the hotel's demolition in the late 1970s. He said that $7.6 million has been allocated to construct a new International Hotel.

Linda Wang, chair of the International Hotel Citizens' Advisory Committee, discussed the committee's longtime mission to restore the International Hotel site. She discussed current building plans. She said the new building will serve the community and the City well.

HRC Staff Member Carmen Smith discussed the current bid packages for the International Hotel site. She said the Mayor's Office of Housing is funding 27 percent of the cost for the project. She said MBE/WBE designated subcontracting goals are based on this 27 percent

figure. Ms. Smith said that the bid process opened May 17, 2001. She said that currently, a draft contract has been submitted to Herrera Brothers for review, and that when this contract is signed, HRC Staff will set up a preconstruction conference.

Commissioner Lee praised the efforts of the Mayor's office and those who have worked on the reconstruction. Ms. Wang introduced HRC Staff Member Ed Ilumin, who has served on her committee. Commissioner Salazar-Hobson also praised efforts on the project.

Discussion Regarding Media Presentation of Community Issues
This item was continued.

Closed Session pursuant to Government Code Section 54957 and San Francisco Administrative Code Section 67.10(b):
This item was continued.

COMMITTEE REPORTS

Issues Committee
The Committee Report was continued. Commissioner Baghdassarian said that the Committee has set a permanent date for meeting times, the second Wednesday of each month at 5:30 p.m.

Employment Advisory Committee
The report was continued.

MBE/WBE/LBE Advisory Committee
The report was continued.

Youth and Education Committee
There was no report.

Lesbian Gay Bisexual Transgender Advisory Committee
Committee Report
Commissioner Knutzen reported that the meeting of August 21, 2001, included an excellent report on senior housing issues, which she said might be discussed further in the future.

Approval of letter to the San Francisco Rent and Arbitration Board, inviting the Board to review recommendations in the LGBT Economic Empowerment Report that for LGBT inclusion in the Board's housing study.

Approval of letters to LYRIC, Community United Against Violence, and the Mayor's Office of Children, Youth, and Their Families, inviting them to review recommendations in the LGBT Economic Empowerment Report calling for the creation of a mentorship program for LGBT youth.

The letters, considered together, were moved (Sparks), seconded (Lee), and approved (unanimously).

Additional Business
Commissioner Salazar-Hobson said that he supports the policy statement on discrimination against Arab Americans, Muslim Americans and people of Middle Eastern descent, but said he would have favored an inclusive approach that mentioned people of Jewish descent.

Commissioner Saliba-Malouf said the term Middle Eastern was intended as an umbrella term to cover people of all faiths and backgrounds from the Middle East.

Commissioner Knutzen said it might be appropriate to include this topic as an open agenda item. She thanked Commissioner Saliba-Malouf for her efforts.

Commissioner discussion of matters of interest for possible inclusion of future agenda items
Commissioner Baghdassarian suggested it might be appropriate to include on the October 25, 2001, Agenda, a professor from the University of California at Berkeley to speak on the Armenian genocide. Commissioner Saliba-Malouf said she and Director Harmon had discussed the matter and planned to have it on the October 25 Agenda.

ADJOURNMENT
The meeting was adjourned at 7:15 p.m.

NEXT MEETING

DATE: October 25, 2001

TIME: 4:30 P.M.

PLACE: 1 Dr. Carlton B. Goodlett Place
Room 416
San Francisco, CA 94102

Respectfully submitted,

Virginia Harmon
Interim Director

By: Kimberly Carver
Commission Secretary

City and County of San Francisco

Willie Lewis Brown, Jr.
Mayor

Human Rights Commission
Contract Compliance
Dispute Resolution/Fair Housing
Minority/Women/Local Business Enterprise
Lesbian Gay Bisexual Transgender & HIV Discrimination

Virginia M. Harmon
Interim Director

-30

9/7/01
cancelled

SAN FRANCISCO HUMAN RIGHTS COMMISSION

REGULAR MEETING

DATE: Thursday, September 27, 2001

* * * CANCELLED * * *

Reminder!
The regular meeting of the Human Rights Commission has been cancelled.

The next regular meeting will be:

DATE: Thursday, October 11, 2001
TIME: 4:30 pm
LOCATION: City Hall, Room 416
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102

/Kimberly Carver

Kimberly Carver
Commission Secretary

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Human Rights Commission

City and County of San Francisco

Willie L. Brown, Jr., Mayor

Regular Meeting Agenda

Thursday, October 11, 2001
4:30 p.m.
City Hall, Room 416
1 Dr. Carlton B. Goodlett Place

ROSTER OF COMMISSIONERS

Ghada Saliba-Malouf, *Chair*
Larry Lee, *Vice Chair*
Haig Baghdassarian
Shirley Dimapilis
Wilfred W. Hsu
Martha Knutzen
Leslie Littleton
Antonio Salazar-Hobson
Theresa Sparks
Charles L. Ward

Virginia M. Harmon, *Interim Director*

Kimberly Carver, *Commission Secretary*

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Government's duty is to serve the public, reaching its decisions in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This Ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review. For more information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the Ordinance, contact the Donna Hall at the Sunshine Ordinance Task Force, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102-4683; Office 415-554-7724; Fax 415-554-5163; E-mail: Donna_Hall@ci.sf.ca.us

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Items designated by "CC" shall automatically be approved, unless a request for removal for discussion or explanation is received from the audience, Commission or Commission staff.

Public testimony will be taken on each item. Public testimony is limited to three minutes.

ORDER OF BUSINESS

1. CALL TO ORDER

2. ROLL CALL

3. APPROVAL OF MINUTES

   a. Approval of minutes of Commission Meeting of September 13, 2001
   [➲Action Item]

4. CIRCULATE GENERAL COMMUNICATIONS FILE

5. PUBLIC COMMENT ON ITEMS NOT ON THE AGENDA
   Members of the public may address the Commission on matters that are within the Commission's jurisdiction and are not on today's agenda. Public comment is limited to three minutes.

6. REPORT OF THE CHAIR

   a. Individual Commissioner Reports on Community Activities
   [◎Discussion Item]

   b. Announcement of new members of Transgender Civil Rights Implementation Task Force (Commissioner Sparks)
   [◎Discussion Item *Attachment provided*]

   c. Resolution commending Pansy Waller for distinguished service as a Human Rights Commission Staff Member
   [◎Discussion Item ➲Action Item *Attachment provided*]

   d. Report on Pending HRC Projects
   [◎Discussion Item]

   e. Public Comment
   [◎Discussion Item]

7. REPORT OF THE DIRECTOR

a. Chapter 12.D.A. Waiver Report for September
[◎Discussion Item *Attachment provided*]

b. Presentation regarding Chapter 12.D.A. Waiver Report for August: Items 1, 2, and 3
[◎Discussion Item *Attachment provided*]

c. Appointment of hearing officer for certification appeal received from California Industrial Hygiene (CIH). Certification denied based on Administrative Code 12D-A and HRC rules and regulations, Rule VI B.3(c).
[◎Discussion Item ➲Action Item]

d. HRC Division Reports

i. Lesbian, Gay, Bisexual, Transgendered, HIV Division:
Review of Equal Benefits Informational Materials and Vendor Forms (Treanor)
[◎Discussion Item *Attachment provided*]

ii. Employment, Housing and Public Accommodations Division
[◎Discussion Item]

iii. MBE/WBE/LBE Division:
Staff Report on MBE/WBE Participation in Port of San Francisco Development Projects (Tom)
[◎Discussion Item *Attachment provided*]

REGULAR BUSINESS

8. COMMITTEE REPORTS

a. Lesbian Gay Bisexual Transgender Advisory Committee
Commissioner Martha Knutzen, Chair
Commissioner Theresa Sparks, Vice Chair
Larry Brinkin, Committee Staff

i. Report of the August 21, 2001, Committee Meeting.

NOTE: *The next meeting of the Lesbian Gay Bisexual Transgender Advisory Committee will be held on Tuesday, October 16, 2001 at 5:30 p.m. at the Human Rights Commission offices, 25 Van Ness Avenue, Eighth Floor Conference Room, San Francisco, CA 94102*

b. Employment Committee

Commissioner Larry Lee, Chair
Commissioner Wilfred Hsu, Vice Chair

i. Report of the September 6, 2001, and October 4, 2001, Committee Meetings

ii. Report on Resolution commending Pansy Waller for distinguished service as an Employment Committee Member.

NOTE: *The next meeting of the Employment Committee will be held on Thursday, November 1, 2001,at 1:30 p.m. at the Human Rights Commission offices, 25 Van Ness Avenue, Eighth Floor Conference Room, San Francisco, CA 94102*

c. Issues Committee
Commissioner Theresa Sparks, Chair
Commissioner Haig Baghdassarian, Vice Chair
Emil De Guzman, Committee Staff

i. Report of the Wednesday, October 10, 2001, Committee Meeting.
ii. Announcement of new members
[◎Discussion Item]

NOTE: *The next meeting of the Issues Committee will be held on Wednesday, November 7, 2001, at 5:30 p.m. at the Human Rights Commission offices, 25 Van Ness Avenue, Eighth Floor Conference Room, San Francisco, CA 94102*

d. MBE/WBE/LBE Advisory Committee
Commissioner Charles Ward, Chair
Commissioner Shirley Dimapilis, Vice Chair
Romulus Asenloo, Committee Staff

i. Report of the August 15, 2001, Committee Meeting

ii. Discussion and possible adoption of letters from Human Rights Commission to City department heads regarding revisions to diversity tracking system
[◎Discussion Item ➲Action Item *Attachment provided]*

NOTE: *The next meeting of the MBE/WBE/LBE Advisory Committee will be held on Wednesday, October 17, 2001, at 5:30 p.m. at the Human Rights Commission offices, 25 Van Ness Avenue, Eighth Floor Conference Room, San Francisco, CA 94102*

e. Youth and Education Committee
Commissioner Shirley Dimapilis, Chair

Commissioner Charles L. Ward, Vice Chair
Toni A. Delgado, Committee Staff
Melinda Wesley, Committee Staff

i. Report of the October 3, 2001, Committee Meeting.

NOTE: *The next meeting of the Youth and Education Committee will be held on Wednesday, November 7, 2001, at 4:30 p.m. at the Human Rights Commission offices, 25 Van Ness Avenue, Eighth Floor Conference Room, San Francisco, CA 94102*

9. COMMISSIONER DISCUSSION OF MATTERS OF INTEREST FOR POSSIBLE INCLUSION OF FUTURE AGENDA ITEMS

10 ADJOURNMENT

All meetings are held at: City Hall, 1 Dr. Carlton B. Goodlett Place, Room 416, San Francisco, CA 94102, unless otherwise stated

NEXT MEETING: THURSDAY, OCTOBER 25, 2001

Human Rights Commission

City and County of San Francisco

Willie L. Brown, Jr., Mayor

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Minutes

Regular Meeting
Thursday, October 11, 2001

DRAFT

ROSTER OF COMMISSIONERS

Ghada Saliba-Malouf, *Chair*
Larry Lee, *Vice Chair*
Haig Baghdassarian
Shirley Dimapilis
Wilfred W. Hsu
Martha Knutzen
Leslie Littleton
Antonio Salazar-Hobson
Theresa Sparks
Charles L. Ward

Virginia M. Harmon, *Interim Director*

Kimberly Carver, *Commission Secretary*

ORDER OF BUSINESS

CALL TO ORDER
Commission Chair Saliba-Malouf called the meeting to order at 4:45 p.m.

ROLL CALL

Commissioners Present
Ghada Saliba-Malouf, *Chair*
Haig Baghdassarian
Martha Knutzen
Theresa Sparks
Charles Ward
Leslie Littleton Wilkinson (arrived 5:12)

Commissioners Excused
Larry Lee, *Vice Chair*
Shirley Dimapilis
Antonio Salazar-Hobson
Wilfred W. Hsu

HRC Staff Present
Larry Brinkin, Acting Director; Kimberly Carver, Commission Secretary; Frank Anderson, Emil De Guzman, James Fields, Ed Ilumin, Veronica Ng, Diana Rathbone, Mhenaz Saiyed (intern), Mary Gin Starkweather, Preston Tom, David Treanor, Roel Villacarlos, Melinda Wesley, Janel Wong

Guests Present
Catherine Barnes, Deputy City Attorney; Jonnie Robinson

A quorum was not present at the start of the meeting. Because no quorum was present, some Agenda items were taken out of order.

CIRCULATE GENERAL COMMUNICATIONS FILE
There was no general communications file.

PUBLIC COMMENT ON ITEMS NOT ON THE AGENDA

Peter Vaernet, a resident of the Ocean District, voiced concern about crime and racial tensions in the district, especially affecting immigrants. He asked Commissioners for advice on the situation.

Commissioner Sparks explained that Mr. Vaernet had appeared before the Issues Committee the previous evening. Commissioner Saliba-Malouf asked Mr. Vaernet whether he thought the Police Department had made sufficient efforts and allocated sufficient resources. Mr. Vaernet said that the police seemed to be doing all they could do, and that the problem was greater than the police could handle. Commissioner Saliba-Malouf suggested that the problem be referred to the Director, and that it might be referred to the task force that was examining violence in various communities. Mr. Brinkin said he would call Mr. Vaernet to discuss the problem further. Commissioner Knutzen suggested that Mr. Vaernet also try contacting the Office of Neighborhood Services. Commissioner

Baghdassarian asked Mr. Vaernet what steps he thought were necessary. Mr. Vaernet suggested collaboration with mental health counseling services, with the Department of Public Works, with the Police Department and with the public.

Abdul Baset, representing Albait Alarabi, a social service agency, discussed employment issues following the incidents of September 11, 2001. He said one man had been forced to leave employment as a security guard for another job further from his home and paying less. He said the woman who rents space to his organization has received threatening e-mail. He said members of his community have been victimized three times: by state terrorism in their home countries; by suffering casualties in the September 11 attack; and by hate crimes and discrimination following the attack.

Mansoor Ismael, the Honorary Consul of the Republic of Yemen, discussed an incident in which a family traveling to Yemen, in his presence, was detained by police. Mr. Ismael said he had met with the Mayor and City officials about the incident. Commissioner Saliba-Malouf said many other incidents of profiling were occurring. She suggested that the Commission consider ways to address the situation. Mr. Ismael said the Yemeni community numbers about 3,000 in San Francisco and 20,000 to 25,000 in California.

Commissioner Baghdassarian asked which officers took the actions at the airport. Mr. Ismael said they were San Francisco police officers. He said that when the FBI arrived, the FBI agents understood the situation and told the SFPD officers they had made a mistake.

Commissioner Sparks suggested that it might be appropriate for the Commission to have a well-publicized hearing that would draw the public's attention to incidents like the one Mr. Ismael described. She suggested that participation by the press and other organizations could be solicited through outreach.

Commissioner Knutzen said she would like the Human Rights Commission's role to be more public with regard to this issue. She asked Mr. Ismael whether a public apology for the airport incident would be appropriate. Mr. Ismael said an apology would be important for him and for the local community. Commissioner Knutzen suggested the Commission might work on an appropriate response that would publicly acknowledge the mistake made.

Commissioner Littleton Wilkinson arrived at 5:12 p.m. and a quorum was present. Commissioner Saliba-Malouf said the earlier testimony would be incorporated into the record.

Abdelellah Alhimsi, a member of the public, read a statement that described discriminatory treatment he received from employees of a Starbucks store, followed by his detention by two police officers.

Commissioner Saliba-Malouf suggested that Mr. Alhimsi file a complaint with the Commission. Mr. Brinkin said that San Francisco laws prohibit discrimination such as the incident Mr. Alhimsi described. He suggested that Mr. Alhimsi ask Commission staff to help

him file a complaint against the store, and said that Mr. Alhimsi might contact the Office of Citizen Complaints as well. Commissioner Saliba-Malouf expressed concern that the complaint process of the Office of Citizen Complaints might be time-consuming. She suggested the Police Department might be engaged in a discussion of sensitivity training.

REPORT OF THE CHAIR

Commissioner Saliba-Malouf said she had taken many calls from community members regarding incidents of discrimination. She said the Arab-American community has met regularly to try to plan a response. Commissioner Sailba-Malouf said that after the Commission passed its Policy Statement at the September 13, 2001, meeting, the resolution was sent to the Board of Supervisors and the Mayor and it was adopted shortly afterward. Commissioner Saliba-Malouf said that HRC Staff Member Toni Delgado and Intern Mhenaz Saiyed have produced a brochure dealing with hate crimes. She said that soon the brochure will be published in other languages.

Commissioner Saliba-Malouf said that Arab-American leaders were unsure how to bring attention to the current situations. She said the Commission has been asked to consider a public hearing, possibly in conjunction with other bodies, such as the Board of Supervisors. She said despite rhetoric from politicians condemning hate crimes, such incidents are continuing and are receiving little press coverage.

Commissioner Knutzen questioned why the press has not given the issue more coverage. She suggested that many people may want to respond to such incidents but might be seeking appropriate ways to do so.

Commissioner Baghdassarian asked whether the Commission has communicated with the Police Department or Chief Lau. Mr. Brinkin said nothing had yet been sent. Commissioner Saliba-Malouf suggested the Commission write a letter to the Police Department relating the two incidents discussed earlier at the meeting. Commissioner Baghdassarian also said it was regrettable that such incidents had not received more publicity, and suggested that Commission meetings might receive more television coverage. Mr. Brinkin said that a special public hearing might be televised.

Commissioner Littleton Wilkinson said that whatever steps the Commission takes should be action-oriented, so as to produce immediate relief.

Commissioner Saliba-Malouf said a letter should go out from the Chair to the Police Department and the Chief. Mr. Brinkin asked whether the letter should invite the Chief to appear before the Commission. Commissioner Saliba-Malouf suggested that if there is a public hearing, she would like to hear from Chief Lau then.

Commissioner Sparks discussed the problem of societal discrimination and agreed that the Commission should take action-oriented steps and move quickly. She suggested that Commissioners might appear before the Police Commission. She said that if a public

hearing would take too long to arrange, the Human Rights Commission might also arrange a town hall meeting.

Commissioner Saliba-Malouf suggested a personal meeting with the Police Chief might be arranged to express Commissioners' feelings. Mr. Brinkin said he would include this suggestion in the letter to the Chief.

Commissioner Littleton Wilkinson expressed frustration over the potential length of the hearing process.

Commissioner Saliba-Malouf suggested the Mayor might send a directive containing the Commission's policy statement to all City departments, with instructions for posting the policy statement so that it can be widely viewed. Commissioner Knutzen said that information on hate crimes should be continually publicized in the press.

Commissioner Baghdassarian said that victims of discrimination have included other dark-skinned people besides Arab-Americans and Muslim Americans. Commissioner Saliba-Malouf said that members of other communities should be represented at the hearing.

Individual Commissioner Reports on Community Activities.

Commissioner Sparks said she attended a meeting called by the Mayor's office and the President of the Board of Supervisors on personal property and street cleaning relating to the homeless. She said the meeting indicated a united front to deal with the homeless situation in a humane manner. She said it would be appropriate for the Commission or Commission Staff to be involved in this issue.

Announcement of new members of Transgender Civil Rights Implementation Task Force.
Commissioner Sparks announced two new members sponsored by the Commission: Dr. Lester Poehner and Georgie Freeman. She moved that the Commission make the appointment. The motion was seconded (Knutzen) and approved (unanimously).

Resolution commending Pansy Waller for distinguished service as a Human Rights Commission Staff Member.
Approval of the resolution was moved (Sparks), seconded (Knutzen) and passed (unanimously).

APPROVAL OF MINUTES

Minutes of the Commission Meeting of September 13, 2001, were moved (Baghdassarian), seconded (Knutzen) and approved (unanimously).

REPORT OF THE DIRECTOR

With Director Harmon on medical leave, Mr. Brinkin gave the report. Mr. Brinkin reported on a press conference he attended that morning that was called by small business owners,

some of whom have been victims of discrimination or hate crime incidents. He said he represented the Commission and presented the Commission's hate crime brochure.

Commissioner Saliba-Malouf called attention to a letter from a representative of the Glaziers' Union offering to repair damage to buildings that have been targeted.

Presentation regarding Chapter 12.D.A. Waiver Report for August: Items 1, 2, and 3.
HRC Staff Member James Fields presented a report clarifying items in the August waiver log that had been questioned at a previous meeting. Commissioner Ward said it remained unclear under what exclusion two of the waivers were granted. Mr. Fields said the waivers were requested as sole providers. Commissioner Ward questioned whether one of the companies was the only one that could do such work. Mr. Fields said the company had worked with the airport for many years, although technically it was not a sole provider. He said that the other company whose waiver Commissioner Ward questioned appeared to be the only one that met the City's Equal Benefits requirements. Commissioner Ward expressed concern over which information to rely on. Commissioner Baghdassarian also expressed concern over this aspect of the waiver process.

City Attorney Barnes suggested that a future agenda might include a presentation explaining sole source waivers. Commissioner Saliba-Malouf asked if Ms. Barnes could present a legal memo on the subject. Ms. Barnes agreed. Commissioner Knutzen said that future waiver reports should include more precise information. Commissioner Saliba-Malouf said the Commission needs to be informed of the criteria regarding sole source waivers. Mr. Brinkin said he will work with Ms. Barnes to put together a memo for the next meeting.

Chapter 12.D.A. Waiver Report for September
Commissioner Sparks questioned the reasons for five of the waivers on this report: Nos. 8, 9, 11, 12 and 18. HRC Staff Member Veronica Ng clarified the details of Nos. 11 and 18.

Appointment of hearing officer for certification appeal received from California Industrial Hygiene (CIH).
Appointment of the hearing officer was moved (Knutzen), seconded (Baghdassarian) and approved (unanimously).

HRC Division Reports

Lesbian, Gay, Bisexual, Transgendered, HIV Division
HRC Staff Member David Treanor provided a review of Equal Benefits informational materials and vendor forms. He summarized the process by which the Division determines that contractors provide equal benefits for spouses and domestic partners.

Employment, Housing and Public Accommodations Division
HRC Staff Member Emil De Guzman mentioned the letter from the Glaziers' Union representative offering to repair damaged buildings. He also reported that, after the Commission passed a resolution concerning the activities of the Falun Gong, the Board of

Supervisors took up the issue and Supervisor Daly submitted a resolution to the Board. Mr. De Guzman said the planned Retail Discrimination Forum had been postponed until the first or second week of January 2002.

Commissioner Sparks asked, with regard to the Glaziers' Union's offer, whether a letter could be written to the Labor Council asking participation by other union organizations. Commissioner Knutzen suggested that the Police Department be informed of the offer. Commissioner Saliba-Malouf suggested that Commissioner Lee might assist in these efforts. Mr. Brinkin said such a letter would be sent.

MBE/WBE/WBE Division
HRC Staff Member Preston Tom discussed Port Authority projects and MBE/WBE participation therein. He said that two projects have been completed to date and many are upcoming. Commissioner Saliba-Malouf asked whether such projects follow the model used in the construction of Pacific Ball Park. Mr. Tom said the process is similar.

COMMITTEE REPORTS

Lesbian Gay Bisexual Transgender Advisory Committee
Commissioner Knutzen said there was no committee report, but commended the presentation on the Equal Benefit process.

Employment Advisory Committee
HRC Staff Member Mary Gin Starkweather reported on the meetings of September 6 and October 4, 2001. She said it had been reported at the first meeting that 76,000 notices regarding unlawful employment discrimination have been mailed to City employers with business tax registration certificates. She said the committee had, among other things, covered the Weight and Height Guidelines and had heard updates on the First Source Hiring Program and the apprenticeship program for elevator workers.

Issues Committee
Commissioner Baghdassarian reported on the meetings of September 5 and October 10, 2001. He discussed a hearing on the medical marijuana issue. He announced a committee retreat scheduled for October 27. He said that 10 new members have been recommended for appointment and seven members have been recommended for reappointment. The new members are Rose Arrieta, Stephen Ellis, John Freeman, Cate Hughes, Bill Johnson, Thomas King, Tony Kang, Chris Lymbertos, Raffi Momjian and Judy Washington. Reappointed members are Susanne Ellis, Alice Fialkin, Jay Franz, Richard Rothman, Reg Smith, Giulio Sorro and Jill Tregor. Commissioner Saliba-Malouf made the appointments.

MBE/WBE/LBE Advisory Committee
Commissioner Ward reported on the September 19, 2001, meeting, and presented for possible adoption letters from the Commission to City department heads regarding revisions to the diversity tracking system. The letter was moved (Baghdassarian), seconded (Knutzen) and approved (unanimously).

Youth and Education Committee
HRC Staff Member Melinda Wesley reported that the committee met on October 3, 2001, despite the absence of both Commissioner members. She said the committee now had fewer members but the remaining members are committed to the committee's works.

Commissioner discussion of matters of interest for possible inclusion of future agenda items
Mr. Brinkin said that the second meeting of November falls on Thanksgiving and might be postponed. Commissioner Saliba-Malouf said that meeting would probably be canceled. She said the next meeting would include a presentation on the Armenian genocide.

Commissioner Ward raised the idea of an op-ed piece on recent incidents of discrimination. Mr. Brinkin said such a piece had been submitted to the Chronicle but has not run. Commissioner Knutzen said she could not understand why the Chronicle would not run it.

Commissioner Baghdassarian expressed concern over potential cancellation of meetings in November and December. Commissioner Saliba-Malouf said the two meetings traditionally have been canceled.

ADJOURNMENT
The meeting was adjourned at 6:51 p.m.

NEXT MEETING

DATE: October 25, 2001

TIME: 4:30 P.M.

PLACE: 1 Dr. Carlton B. Goodlett Place
Room 416
San Francisco, CA 94102

Respectfully submitted,

Virginia Harmon
Interim Director

By: Kimberly Carver
Commission Secretary

Human Rights Commission

City and County of San Francisco

Willie L. Brown, Jr., Mayor

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Regular Meeting Agenda

Thursday, October 25, 2001
4:30 p.m.
City Hall, Room 416
1 Dr. Carlton B. Goodlett Place

ROSTER OF COMMISSIONERS

Ghada Saliba-Malouf, *Chair*
Larry Lee, *Vice Chair*
Haig Baghdassarian
Shirley Dimapilis
Wilfred W. Hsu
Martha Knutzen
Leslie Littleton
Antonio Salazar-Hobson
Theresa Sparks
Charles L. Ward

Virginia M. Harmon, *Interim Director*

Kimberly Carver, *Commission Secretary*

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Public testimony will be taken on each item. Public testimony is limited to three minutes.

ORDER OF BUSINESS

1. CALL TO ORDER

2. ROLL CALL

3. APPROVAL OF MINUTES

   a. Approval of minutes of Commission Meeting of October 11, 2001
   [➲Action Item]

4. CIRCULATE GENERAL COMMUNICATIONS FILE

5. PUBLIC COMMENT ON ITEMS NOT ON THE AGENDA
   Members of the public may address the Commission on matters that are within the Commission's jurisdiction and are not on today's agenda. Public comment is limited to three minutes.

6. REPORT OF THE CHAIR

   a. Announcement regarding cancellation of Commission Meeting of Thursday, November 22, 2001

   b. Individual Commissioner Reports on Community Activities
   [◎Discussion Item]

   c. Discussion of activities related to discrimination and hate violence against Arab-American, Muslim American, South Asian communities
   [◎Discussion Item]

7. Presentation and Discussion on Armenian Genocide
   [◎Discussion Item *Attachments provided*]

8. Presentation regarding the 4-Year Report of the Equal Benefits Ordinance (Goldstein)
   [◎Discussion Item]

9. Presentation on Contract Compliance Manuals

a. Presentation of the contract compliance manuals for professional services and for construction (Rathbone)
[◎Discussion Item]

b, Possible adoption of thank-you letter to technical writer of manuals
[◎Discussion Item ➲Action Item *Attachment provided*]

10. Request for Human Rights Commission's support of program organized by Presidio Challenge in honor of Human Rights Day, December 10, 2001
[◎Discussion Item ➲Action Item *Attachment provided*]

11. COMMITTEE REPORTS

a. Lesbian Gay Bisexual Transgender Advisory Committee
Commissioner Martha Knutzen, Chair
Commissioner Theresa Sparks, Vice Chair
Larry Brinkin, Committee Staff

i. Report of the October 16, 2001, Committee Meeting.
[◎Discussion Item]

ii. Letters to Mayor's Office on Homelessness, Mayor's Office of Housing, San Francisco Fire Department, and Mayor's Office of Community Development regarding LGBT economic empowerment
[◎Discussion Item ➲Action Item *Attachments provided*]

iii. Letter to Mayor asking him to send letters to City Departments re: data collection
[◎Discussion Item ➲Action Item *Attachment provided*]

iv. Letter inviting various community leaders to meeting re: possible formation of a community task force on LGBT economic empowerment
[◎Discussion Item ➲Action Item *Attachment provided*]

NOTE: *The next meeting of the Lesbian Gay Bisexual Transgender Advisory Committee will be held on Tuesday, November 20, 2001 at 5:30 p.m. at the Human Rights Commission offices, 25 Van Ness Avenue, Eighth Floor Conference Room, San Francisco, CA 94102.*

b. Employment Committee
Commissioner Larry Lee, Chair
Commissioner Wilfred Hsu, Vice Chair

No report.

NOTE: *The next meeting of the Employment Committee will be held on Thursday, November 1, 2001, at 1:30 p.m. at the Human Rights Commission*

offices, 25 Van Ness Avenue, Eighth Floor Conference Room, San Francisco, CA 94102.

c. Issues Committee
Commissioner Theresa Sparks, Chair
Commissioner Haig Baghdassarian, Vice Chair
Emil De Guzman, Committee Staff

No report.

NOTE: *The next meeting of the Issues Committee will be held on Wednesday, November 7, 2001, at 5:30 p.m. at the Human Rights Commission offices, 25 Van Ness Avenue, Eighth Floor Conference Room, San Francisco, CA 94102. The Issues Committee will hold a retreat on Saturday, October 27, 2001, beginning at 9 a.m. at Mendelsohn House, 737 Folsom Street, San Francisco.*

d. MBE/WBE/LBE Advisory Committee
Commissioner Charles Ward, Chair
Commissioner Shirley Dimapilis, Vice Chair
Romulus Asenloo, Committee Staff

i. Report of the October 17, 2001, Committee Meeting

NOTE: *The next meeting of the MBE/WBE/LBE Advisory Committee will be held on Wednesday, November 19, 2001, at 5:30 p.m. at the Human Rights Commission offices, 25 Van Ness Avenue, Eighth Floor Conference Room, San Francisco, CA 94102*

e. Youth and Education Committee
Commissioner Shirley Dimapilis, Chair
Commissioner Charles L. Ward, Vice Chair
Toni A. Delgado, Committee Staff
Melinda Wesley, Committee Staff

No report.

NOTE: *The next meeting of the Youth and Education Committee will be held on Wednesday, November 7, 2001, at 4:30 p.m. at the Human Rights Commission offices, 25 Van Ness Avenue, Eighth Floor Conference Room, San Francisco, CA 94102*

12. COMMISSIONER DISCUSSION OF MATTERS OF INTEREST FOR POSSIBLE INCLUSION OF FUTURE AGENDA ITEMS

13 ADJOURNMENT

All meetings are held at: City Hall, 1 Dr. Carlton B. Goodlett Place, Room 416, San Francisco, CA 94102, unless otherwise stated

NEXT MEETING: THURSDAY, NOVEMBER 8, 2001

Human Rights Commission

City and County of San Francisco

Willie L. Brown, Jr., Mayor

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Minutes

Regular Meeting
Thursday, October 25, 2001

DRAFT

ROSTER OF COMMISSIONERS

Ghada Saliba-Malouf, *Chair*
Larry Lee, *Vice Chair*
Haig Baghdassarian
Shirley Dimapilis
Wilfred W. Hsu
Martha Knutzen
Antonio Salazar-Hobson
Theresa Sparks
Charles L. Ward
Leslie Littleton Wilkinson

Virginia M. Harmon, *Interim Director*

Kimberly Carver, *Commission Secretary*

ORDER OF BUSINESS

CALL TO ORDER
Commission Chair Saliba-Malouf called the meeting to order at 4:45 p.m.

ROLL CALL

Commissioners Present
Ghada Saliba-Malouf, *Chair* (left 5:32)
Haig Baghdassarian
Shirley Dimapilis
Wilfred W. Hsu
Martha Knutzen
Theresa Sparks
Charles Ward
Leslie Littleton Wilkinson (arrived 4:55)

Commissioners Excused
Larry Lee, *Vice Chair*
Antonio Salazar-Hobson

HRC Staff Present
Diana Rathbone, Acting Director; Kimberly Carver, Commission Secretary; Larry Brinkin, Emil De Guzman, James Fields, Cynthia Goldstein, Mindy Lee (intern), Veronica Ng, Nichole Truax

Guests Present
Catherine Barnes, Deputy City Attorney; Jonnie Robinson

A quorum was present.

APPROVAL OF MINUTES
Approval of the minutes was postponed until later in the meeting.

CIRCULATE GENERAL COMMUNICATIONS FILE
There was no general communications file.

PUBLIC COMMENT ON ITEMS NOT ON THE AGENDA

There was no public comment.

REPORT OF THE CHAIR

Commissioner Saliba-Malouf announced the cancellation of the Commission Meeting of Thursday, November 22, 2001.

Individual Commissioner Reports on Community Activities

Commissioner Sparks announced that she and Commissioner Knutzen met with Deputy Chief Bill Welch and Captain Lawson of the San Francisco Police Department regarding transgender sensitivity training, accompanied by Commission Staff Member Larry Brinkin. She said the meeting covered an overview what the Commissioners believe the training should encompass. She said a work group is being formed between the HRC and the Police Department and that the HRC will take the lead in going forward with the training.

Discussion of activities related to discrimination and hate violence against Arab-American, Muslim American, South Asian communities.
Commissioner Saliba-Malouf reported that, at the Commission's instructions, a letter was sent to Police Chief Lau relating incidents described at the previous Commission meeting. She said she had been contacted by Chief Lau and that the Chief is sensitive to the issue. She said Chief Lau and the Mayor have met with the Yemeni Consul General and that they will be working with the Yemeni community. As for the incident at Starbucks described at the previous meeting, Commissioner Saliba-Malouf said Chief Lau asked whether she would like him to investigate the incident internally, and she told him that the Commission would like to hear back from him on the incident. Commissioner Saliba-Malouf said that generally, Chief Lau is interested in working with the Commission on concerns about sensitivity and racial profiling.

Commissioner Saliba-Malouf also reported that there was a meeting held at the office of Amnesty International earlier in the month and that HRC Staff Members Kimberly Carver and Emil De Guzman attended on behalf of the Commission. She said the meeting provided an opportunity for various groups working on the issue to develop solutions, and that people at the meeting were enthusiastic about using an HRC hearing as a venue for documenting concerns.

Commissioner Saliba-Malouf said she has spoken with various community representatives in coordination with Supervisor Gavin Newsom's office. She said Supervisor Newsom is interested in sponsoring a hearing, which is tentatively planned for the first regularly scheduled Commission meeting of the new year, on January 10, 2002. Commissioner Saliba-Malouf said that despite the urgency of the issue, it will be difficult to organize a hearing before that date. She said Supervisor Newsom's office is expected to introduce legislation to be able to co-sponsor the hearing, which would involve a committee of the Board rather than the full Board. The hearing would be titled, "A Public Hearing on Backlash Violence and Human Rights Violations and Discrimination in San Francisco in the Wake of September 11, 2001." Commissioner Saliba-Malouf said she will work with the Director and HRC Staff on coordinating the hearing.

HRC Staff Member Larry Brinkin reported that Mr. Alhimsi, the cab driver who spoke at the October 11, 2001, meeting, is working with HRC Staff.

Commissioner Knutzen said that the LGBT Advisory Committee is pleased about the Commission's actions concerning hate crimes. Commissioner Saliba-Malouf said the HRC's hate crime brochure has been revised to mention refugees and immigrants. She

said the brochure would be distributed at an event the following weekend. Commissioner Sparks said that Jill Tregor of Intergroup Clearinghouse wants to be involved in the HRC's efforts in this area.

HRC Staff Member James Fields announced that Panetta Scott of his division is leaving the HRC to work with Muni. He said a resolution commending Ms. Scott will be presented to the Commission in the future.

Presentation and Discussion on Armenian Genocide

Commissioner Baghdassarian began this presentation by showing a 1999 video clip from ABC's World News Tonight which provided an overview on the topic.

Commissioner Baghdassarian introduced Stephan Astourian, a visiting professor at the University of California, Berkeley. Prof. Astourian's presentation involved the reasons for the Armenian genocide, its consequences, and its denial by the Turkish state. Prof. Astourian discussed the structure of the Ottoman Empire, dating from the mid-19th century; the arrival of Muslim refugees from the Balkans and the Caucasus; problems in the Kurdish population; and the rise in Islamic nationalism. These factors, among others, led to violence in Armenian regions, and eventually to massacres and land confiscation. Prof. Astourian then discussed historical events leading up to World War I, and Armenian extermination around the same time. Prof. Astourian then discussed the widespread and long-term denial of incidents concerning the Armenian genocide.

Commissioner Saliba-Malouf left at 5:32 p.m. Commissioner Sparks chaired the remainder of the meeting.

Commissioner Baghdassarian then introduced Richard Hagopian, a survivor of the Armenian genocide. Mr. Hagopian described how his father was killed by Turks in 1915, how Russian soldiers killed his aunt and her baby in 1917; how other family members later perished; and how he relocated in Baghdad. Mr. Hagopian also discussed historical circumstances occurring at that time. Mr. Hagopian questioned why the United States has not officially acknowledged the Armenian genocide.

Commissioner Baghdassarian urged that the U.S. government acknowledge the Armenian genocide. He said it is troubling that a local congressman, Rep. Lantos, opposes recognizing the genocide.

Commissioner Littleton Wilkinson thanked the presenters for their efforts. Commissioners Knutzen and Dimapilis acknowledged the work that went into the presentation. Commissioner Baghdassarian said he would like an action item concerning the issue to be placed on a future agenda.

George Atashkarian, a member of the public, commented to the effect that many politicians do not make good on their pledges to acknowledge the Armenian genocide.

Presentation regarding the 4-Year Report of the Equal Benefits Ordinance

HRC Staff Member Cynthia Goldstein outlined the highlights of the report. She said the Commission has now received declarations from more than 10,000 contractors seeking to comply with the Equal Benefits Ordinance. She said her division has maintained the ability to finalize approximately 75 percent of the declarations. She said that 93 percent of completed declarations are in compliance with legislation. Ms. Goldstein said that 46 percent of companies offer benefits, 30 percent do not, and 24 percent have no employees.

Ms. Goldstein said the Commission has certified companies in compliance that employ nearly 1.5 million people. She said that in the last year, an additional 186,000 people now work for companies that extend nondiscriminatory benefits. She said that, in terms of people who take advantage of domestic partner benefits, there are about 44,000 people working for City contractors who are getting insurance and would not do so otherwise.

Ms. Goldstein said that, even though the scope of the ordinance was limited by court decision in 1998, only 77 companies have decided to limit their compliance, and the vast majority of companies comply on a national basis. Ms. Goldstein said that companies in 44 different states comply with the ordinance; 87 percent of the companies that comply are located in California; and 41 percent are located in San Francisco.

Ms. Goldstein said in the past year, the number of waivers granted regarding compliance with the Equal Benefits Ordinance has decreased by 11 percent. She said that equal benefits ordinances have been adopted in Berkeley and in San Mateo County, and that the cities of Oakland and Atlanta, Ga., are working on such legislation.

Ms. Goldstein said that two court decisions favorable to the ordinance have come down recently. In one case, an issue remains as to whether the state domestic partnership ordinance pre-empts the City ordinance. Ms. Goldstein said that over 4,200 U.S. companies now offer domestic partner benefits, as do 30 percent of the Fortune 500 companies.

Commissioner Knutzen commented that San Francisco's ordinance has had national importance and is a model nationwide. She praised the Commission and staff for the way the ordinance has been handled.

HRC Staff Member commended Ms. Goldstein for her efforts and expertise in working on the ordinance. Commissioner Sparks said the Commission's LGBTH Division is a model for other agencies.

Approval of Minutes

Minutes of the Commission Meeting of October 11, 2001, were moved (Dimapilis), seconded (Knutzen) and approved (unanimously).

Presentation on Contract Compliance Manuals

With Director Harmon on medical leave, HRC Staff Member James Fields introduced this portion of the report. Mr. Fields introduced HRC Staff Member Diana Rathbone to present two Contract Compliance Manuals used by the MBE/WBE/LBE Division, one for professional services and one for construction.

Ms. Rathbone said the manuals are intended to provide the contract compliance unit with uniform standards. She introduced the writer, James E. Thairu, and praised his work. Commissioner Knutzen and Commissioner Littleton Wilkinson commended Mr. Thairu and the MBE/WBE/LBE Division. A letter thanking Mr. Thairu was read into the record. The letter was moved (Dimapilis), seconded (Knutzen) and adopted (unanimously).

Request for Human Rights Commission's support of program organized by Presidio Challenge in honor of Human Rights Day, December 10, 2001

HRC Staff Member Larry Brinkin presented a letter in which Presidio Challenge, a group organizing a celebration of Human Rights Day, asked the Commission for its support. Mr. Brinkin said the group would like to use the Herbst Theatre in the celebration and needs the support of a City department in order to do so. A motion to draft a letter supporting Presidio Challenge's efforts was moved (Dimapilis) and seconded (Knutzen). Commissioner Baghdassarian asked whether the Commission's support involved any funding and Mr. Brinkin said no. The motion passed (unanimously).

COMMITTEE REPORTS

Lesbian Gay Bisexual Transgender Advisory Committee
Commissioner Knutzen reported on the meeting of October 16, 2001. She said the meeting included a discussion and seminar on housing issues affecting the LGBT community. She praised HRC Staff Member Carmen Herrera for her work on the seminar.

Commissioner Knutzen said that the committee also drafted several letters in connected with economic empowerment of the LGBT communities within City government. Letters were drafted to the Mayor's Office on Homelessness, the Mayor's Office of Housing, and the San Francisco Fire Department, referencing the report and urging that recommendations therein be adopted. Another letter was drafted to the Mayor's Office of Community Development. The committee also drafted a letter to the Mayor asking him to urge all departments to collect demographic data on sexual orientation and gender identity

regarding the services they provide. Finally, the committee drafted a letter asking community activists to help implement the ideas contained in the economic empowerment report. Commissioner Sparks said the aim of this letter was to help form a self-sustaining community group. The first four letters were moved (Dimapilis), seconded (Baghdassarian) and adopted (unanimously). The letter to the Mayor was moved (Dimapilis) and seconded (Knutzen). Mr. Brinkin clarified that this letter asks City departments to collect information on sexual orientation and gender identity only in cases in which they already collect other demographic information, and also that the letter covers City contractors as well as departments. The letter was approved (unanimously). The last letter, to community leaders, was moved (Baghdassarian), seconded (Dimapilis) and approved (unanimously).

MBE/WBE/LBE Advisory Committee
Mr. Fields reported on the October 17, 2001, meeting. He said the committee discussed the recent adoption of letters from the Commission to City department heads regarding revisions to the diversity tracking system.

Commissioner discussion of matters of interest for possible inclusion of future agenda items
There were no items.

ADJOURNMENT
The meeting was adjourned at 6:35 p.m. in honor of the testimony presented on the Armenian genocide.

NEXT MEETING

DATE: November 8, 2001

TIME: 4:30 P.M.

PLACE: 1 Dr. Carlton B. Goodlett Place
Room 416
San Francisco, CA 94102

Respectfully submitted,

Virginia Harmon
Interim Director

By: Kimberly Carver
Commission Secretary

Human Rights Commission

City and County of San Francisco

Willie L. Brown, Jr., Mayor

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Regular Meeting Agenda

Thursday, November 8, 2001
4:30 p.m.
City Hall, Room 416
1 Dr. Carlton B. Goodlett Place

ROSTER OF COMMISSIONERS

Ghada Saliba-Malouf, *Chair*
Larry Lee, *Vice Chair*
Haig Baghdassarian
Shirley Dimapilis
Wilfred W. Hsu
Martha Knutzen
Antonio Salazar-Hobson
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Virginia M. Harmon, *Interim Director*

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For more information, contact the Commission Secretary at 415-252-2500
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Items designated by "CC" shall automatically be approved, unless a request for removal for discussion or explanation is received from the audience, Commission or Commission staff.

Public testimony will be taken on each item. Public testimony is limited to three minutes.

ORDER OF BUSINESS

1. CALL TO ORDER

2. ROLL CALL

3. APPROVAL OF MINUTES

   a. Approval of minutes of Commission Meeting of October 25, 2001
   [➲Action Item]

4. CIRCULATE GENERAL COMMUNICATIONS FILE

5. PUBLIC COMMENT ON ITEMS NOT ON THE AGENDA
   Members of the public may address the Commission on matters that are within the Commission's jurisdiction and are not on today's agenda. Public comment is limited to three minutes.

6. REPORT OF THE CHAIR

   a. Individual Commissioner Reports on Community Activities
   [◎Discussion Item]

   b. Report on Hearing Regarding Discrimination and Hate Crimes Against Members of Arab American, Muslim, South Asian and Other Minority Communities
   [◎Discussion Item]

7. REPORT OF THE DIRECTOR

   a. Resolutions commending Panetta Scott and Romulus Asenloo for distinguished service as Human Rights Commission Staff Members
   [◎Discussion Item ➲Action Item]

8. HRC DIVISION REPORTS

   a. Lesbian, Gay, Bisexual, Transgendered, HIV Division:
   Update on Complaints (Rivera-Weiss)
   [◎Discussion Item]

b. Employment, Housing and Public Accommodations Division:
   i. Report on Appellate Court Opinion in Housing Case: Artal v. Doer (Ilumin)
   [◎Discussion Item]

   ii. Report on Meeting of CEDAW Task Force (Herrera)
   [◎Discussion Item]

c. MBE/WBE/LBE Division:
   i. Presentation of Legal Memo on Sole Source Waivers
   [◎Discussion Item *Attachment provided*]

   ii. Presentation regarding Chapter 12.D.A. Waiver Report for September: Items 8, 9, and 12
   [◎Discussion Item]

   iii. Chapter 12.D.A. Waiver Report for October
   [◎Discussion Item *Attachment provided*]

9. Update on Report Regarding Human Rights Commission's Public Hearings on Escalating Violence in Communities of Color (Jones, Aseron)

10. COMMITTEE REPORTS

a. Lesbian Gay Bisexual Transgender Advisory Committee
Commissioner Martha Knutzen, Chair
Commissioner Theresa Sparks, Vice Chair
Larry Brinkin, Committee Staff

No report.

NOTE: *The next meeting of the Lesbian Gay Bisexual Transgender Advisory Committee will be held on Tuesday, November 20, 2001 at 5:30 p.m. at the Human Rights Commission offices, 25 Van Ness Avenue, Eighth Floor Conference Room, San Francisco, CA 94102*

b. Employment Committee
Commissioner Larry Lee, Chair
Commissioner Wilfred Hsu, Vice Chair

i. Report of the November 1, 2001, Committee Meeting

NOTE: *The next meeting of the Employment Committee will be held on Thursday, December 6, 2001,at 1:30 p.m. at the Human Rights Commission offices, 25 Van Ness Avenue, Eighth Floor Conference Room, San Francisco, CA 94102*

c. Issues Committee
Commissioner Theresa Sparks, Chair
Commissioner Haig Baghdassarian, Vice Chair
Emil De Guzman, Committee Staff

i. Report of the Saturday, October 27, 2001, Committee Retreat

NOTE: *The next meeting of the Issues Committee will be held on Wednesday, November 14, 2001, at 5:30 p.m. at the Human Rights Commission offices, 25 Van Ness Avenue, Eighth Floor Conference Room, San Francisco, CA 94102*

d. MBE/WBE/LBE Advisory Committee
Commissioner Charles Ward, Chair
Commissioner Shirley Dimapilis, Vice Chair
James Fields, Committee Staff

No report.

NOTE: *The next meeting of the MBE/WBE/LBE Advisory Committee will be held on Wednesday, November 21, 2001, at 5:30 p.m. at the Human Rights Commission offices, 25 Van Ness Avenue, Eighth Floor Conference Room, San Francisco, CA 94102*

e. Youth and Education Committee
Commissioner Shirley Dimapilis, Chair
Commissioner Charles L. Ward, Vice Chair
Toni A. Delgado, Committee Staff
Melinda Wesley, Committee Staff

i. Report of the November 7, 2001, Committee Meeting.

NOTE: *The next meeting of the Youth and Education Committee will be held on Wednesday, December 5, 2001, at 5:30 p.m. at the Human Rights Commission offices, 25 Van Ness Avenue, Eighth Floor Conference Room, San Francisco, CA 94102*

11. COMMISSIONER DISCUSSION OF MATTERS OF INTEREST FOR POSSIBLE INCLUSION OF FUTURE AGENDA ITEMS

12.ADJOURNMENT

All meetings are held at: City Hall, 1 Dr. Carlton B. Goodlett Place, Room 416, San Francisco, CA 94102, unless otherwise stated

NEXT MEETING: THURSDAY, DECEMBER 13, 2001

Human Rights Commission

City and County of San Francisco

Willie L. Brown, Jr., Mayor

Minutes

Regular Meeting
Thursday, November 8, 2001

DRAFT

ROSTER OF COMMISSIONERS

Ghada Saliba-Malouf, *Chair*
Larry Lee, *Vice Chair*
Haig Baghdassarian
Shirley Dimapilis
Wilfred W. Hsu
Martha Knutzen
Antonio Salazar-Hobson
Theresa Sparks
Charles L. Ward
Leslie Littleton Wilkinson

Virginia M. Harmon, *Interim Director*

Kimberly Carver, *Commission Secretary*

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ORDER OF BUSINESS

CALL TO ORDER
Commission Chair Saliba-Malouf called the meeting to order at 4:50 p.m.

ROLL CALL
Commissioners Present
Larry Lee, *Vice Chair*
Haig Baghdassarian
Shirley Dimapilis
Wilfred W. Hsu
Martha Knutzen
Antonio Salazar-Hobson (left early)
Theresa Sparks
Charles Ward (left early)
Leslie Littleton Wilkinson (arrived late)

Commissioners Excused
Ghada Saliba-Malouf, *Chair*

HRC Staff Present
Virginia Harmon, Interim Director; Kimberly Carver, Commission Secretary; Lome Aseron, Larry Brinkin, Toni A. Delgado, Carmen Hererra, James Fields, and Zula Jones

Guests Present
Catherine Barnes, Deputy City Attorney

A quorum was present.

APPROVAL OF MINUTES
Commissioner Baghdassarian noted that on the minutes of October 25, 2001, Diana Rathbone was cited as the Acting Director, when in fact it was James Fields of HRC Staff.

With the above-mentioned changes, the minutes were moved (Baghdassarian), seconded (Dimapilis), and approved (unanimously).

CIRCULATE GENERAL COMMUNICATIONS FILE
There was no general communications file.

PUBLIC COMMENT ON ITEMS NOT ON THE AGENDA
There was no public comment.

REPORT OF THE CHAIR
There was no report.

Commissioner Salazar-Hobson asked what the printing budget would be and Ms. Tregor estimated $15,000 to 30,000 and hoped that state terrorism related grant money may assist with the printing and production costs. Commissioner Salazar-Hobson stated that the Printers Union might be able to help.

REPORT OF THE DIRECTOR

Resolutions commending Panetta Scott and Romulus Asenloo for distinguished service as Human Rights Commission Staff Members

Director Harmon informed the Commission that Panetta Scott and Romulus Asenloo were leaving the HRC to accept other employment. Ms. Scott was now working for MUNI and Mr. Asenloo had accepted a job in the private sector. Director Harmon stated that it was difficult to lose such good employees, and urged the Commissioners to adopt the resolutions. The resolutions were moved (Knutzen), seconded (Dimapilis), and approved (unanimously).

HRC DIVISION REPORTS

Lesbian, Gay, Bisexual, Transgendered, HIV Division:

Update on Complaints

Continued until next commission meeting.

Employment, Housing and Public Accommodations Division:

Report on Appellate Court Opinion in Housing Case: Artal v. Doer

Ed Ilumin, HRC Staff, reviewed the case, stating that Heather Sharp was a tenant who had a rental agreement that restricted the occupancy to one person. When Ms. Sharp married, her husband moved into the apartment and the landlord then moved to evict. The Superior Court ruled in Ms. Sharp's favor, but the judgement was appealed and the Appellate Court reversed the Superior Court's judgement. The Appellate Court also stated that San Francisco Ordinance 123-93, which the HRC actively enforces, is no longer enforceable because State law preempts local law. Mr. Ilumin stated that this decision affects the growth of our City, singles, getting married, having babies, et cetera, within the 80,000 rental units available in our City, as this ordinance previously allowed families to live in extended situations. Mr. Ilumin spoke with Jim Morales, co-author of 123-93, and Mr. Morales stated that the only way around this is to enact state legislation that strikes the preemption clause under FEHA. Another suggestion was to amend San Francisco's Rent Control Ordinance to prohibit evictions due to an increase of the number of occupants. The Legislative Analyst and the Board of Supervisors have also expressed interest in addressing this issue. Mr. Ilumin asked the Commissioners for direction.

Commissioner Knutzen suggested moving forward with the two above-mentioned suggestions and stated that this issues has all of her support.

Commissioner Baghdassarian stated that the Issues Committee has included this issue as a focus point in our chairperson agrees.

Report on Meeting of CEDAW Task Force
Carmen Herrera, HRC Staff, stated that the CEDAW Task Force was formed in 1988 based on the United Nation's Convention on the Elimination on all forms of Discrimination Against Women. San Francisco is the first and still the only city in the United States to implement the underlying principles of CEDAW on a local level. Ms. Herrera stated that she has recently joined the CEDAW Task Force (a position formerly held by HRC former staffer Pansy Waller) and is just getting aquatinted with the Task Force's work to date and issues to come. In 1999 the HRC researched gender analysis at the Juvenile Probation Department and the Department of Public Works (DPW). Ms. Herrera stared that DPW was chosen because many of the staff were male and the department held many non-traditional jobs. The Juvenile Probation department was chosen because of the young girls who were incarcerated, but more programs existed for young males than for young women. The analysis found that there was a general need for education in human rights with gender perspective. Additionally, an absence of comprehensive data existed relative to evaluating gender equality.

Commissioner Knutzen stated that she is very happy that Ms. Herrera was chosen to replace Ms. Waller, and offered the Commissioner's support. Commissioner Salazar-Hobson offered congratulations to Ms. Herrera. Commissioner Baghdassarian asked if the Mayor's Office or the Board of Supervisors have taken a position on U.S. Senate ratification of CEDAW. Ms. Herrera stated that she didn't know at this time. Commissioner Baghdassarian stated that he would like the HRC to make a statement by writing a letter supporting Senate ratification. Commissioner Knutzen supported writing to our Senators.

MBE/WBE/LBE Division:
Presentation of Legal Memo on Sole Source Waivers
Director Harmon referred the Commissioners to a memo that Deputy City Attorney Cathy Barnes prepared for them regarding Sole Source waivers and asked the Commissioner if they had any questions.

Commissioner Baghdassarian thanked Deputy City Attorney Cathy Barnes for putting together the memo, and asked about granting sole source waivers on the basis of institutional knowledge. Commissioner Baghdassarian asked if there were other ways the HRC has gone about achieving these goals short of granting a sole source waiver. Ms. Barnes stated that if a business is truly a sole source, the Director must grant it, and that it is not a discretionary decision. Additionally, Ms. Barnes stated that it is the awarding Department who characterized what the goods or services are in the event of institutional knowledge, which may or may not make the contract a sole source or open the field to many businesses. In the event of a sole source based on individual knowledge, it is the responsibility of HRC Staff and the Director to really research and confirm that the goods or services are actually in need of sole source based on special expertise within a very narrow specialized context.

Ms. Barnes also stated that awarding Departments encourage sole source companies to bring in smaller businesses as sub-contractors so they too may acquire the knowledge

needed for these types of contracts, but added that the Director cannot necessarily insist upon these conditions. Director Harmon stated that in fact the HRC has granted waivers conditional upon creating sub-contracting opportunities.

Commissioner Ward stated that the paragraph in the memo covering institutional knowledge is the most troubling thing to him and he felt that the awarding department may easily create goals for goods or services that may be tailored to a specific or preferred business, eliminating the competitive bidding process. Commissioner Ward felt that this set a negative precedence for companies who felt they could skirt around the bidding process. Commissioner Ward, referring to a waiver granted in the past, stated that the explanation provided on sole source waiver applications is an explanation for why the firm is preferred, not because they were the sole source. Ms. Barnes stated that in fact, the firm was the sole source firm due to the fact that they were the only business to work with the calculations and financially historical figures for numerous years who could start at the level the Department needed.

Commissioner Baghdassarian echoed the sentiments of Commissioner Ward and stated that although granting a waiver to a firm that may have historical expertise may be practical, it is the charge of the Human Rights Commission to scrutinize and ensure that discrimination is not perpetuated in our City's contracting. As a point of clarification, Ms. Barnes added that the Director has the authority and duty to issue waivers when it is appropriate, as well as the authority and duty to report to you when those waivers are issued. Ms. Barnes added that the Commissioner's are not in the position to approve the Director's waivers.

Commissioner Ward understood that he was not in an authoritative position to approve or disapprove these waivers, but stated that he was concerned about the loophole that seems to exist around the language of institutional knowledge, which may work in favor of certain companies. Commissioner Littleton-Wilkinson echoed the same sentiments.

Commissioner Sparks stated that institutional knowledge can be abused subjectively, and therefore can undermine the intent of the administrative code that established this provision. Commissioner Sparks then asked if there is something, propose legislation, that the Commissioners can do to make the loophole a little more difficult to circumvent.

Commissioner Littleton-Wilkinson noted for the record that this was not a personal attack on the Director, but rather the Commissioners expressing their concern regarding this issue. Commissioner Knutzen reiterated Commissioner Littleton-Wilkinson saying that this is a public policy issue and asked what would empower our Director to make effective changes around joint venturing, et cetera. Director Harmon stated that conditional waivers have been granted which include sub-contracting, allowing other firms to gain knowledge and experience. Commissioner Littleton-Wilkinson asked if there was a way to require Sole Source firms to hire sub-contractors. Director Harmon stated that that is already being done as often as it is possible within a project.

Commissioner Barnes suggested that the Commissioners gain more knowledge about contracts and waivers from the HRC, as well as from awarding Departments. Commissioner Ward, referring to the current 12.D. Waiver Report (October) and stated that item 8 seemed like another firm that was granted a sole source waiver, even though they do not seem like a sole source provider. Director Harmon offered to bring some additional information regarding that particular waiver at a future meeting.

Vice-Chair Lee stated that this issue should be further reviewed and continued for the next meeting. Commissioner Littleton-Wilkinson asked that the Commission receive more information regarding the contracting process so they can better understand the issues.

Commissioner Sparks stated that the memo that Deputy City Attorney Barnes wrote was well written, but wondered why the waivers were brought to the Commission for review if Commissioners couldn't impact or approve them. Director Harmon states that 12.D. waiver reporting is required by the ordinance and is intended to provide public notice.

Commissioner Knutzen suggested that the Director report to the Commission instances of joint ventures and sub-contracting on sole source waivers so that the Commission may understand what that process is.

Vice-Chair Lee continued this item for the next meeting.

Presentation regarding Chapter 12.D.A. Waiver Report for September: Items 8, 9, and 12
Vice-Chair Lee continued this item for the next meeting.

Chapter 12.D.A. Waiver Report for October
Vice-Chair Lee continued this item for the next meeting.

Commissioner Ward left the meeting. The quorum was not affected.

UPDATE ON REPORT REGARDING HUMAN RIGHTS COMMISSION'S PUBLIC HEARINGS ON ESCALATING VIOLENCE IN COMMUNITIES OF COLOR
Lome Aseron, HRC Staff, stated that the report on the escalating violence in San Francisco is forthcoming and hopes to present the report at the next Commission meeting. Mr. Aseron stated that the report is different from other reports because this one captures the community will. The first part of the report is a brief introduction. The second part is recommendations that staff has gathered through testimony at public hearing, focus group hearings, and task force meetings. The third part of the report are the summaries of the testimony itself, reflecting the input of the community. The final part of the report is the conclusion and closing recommendations. A historical analysis of violence in African American communities will be included as an addendum. Mr. Aseron stressed that this report was not merely a report commissioned by the HRC, but an attempt for the City to connect with the community.

Zula Jones, HRC Staff, stated the recommendations gathered from this report will be divided into two sections. The first being recommendations that the Commission to work on and the other, recommendations for other City departments. Ten years ago, when the HRC produced the *Unfinished Agenda,* some of the same recommendations existed then as they do today. The community has expressed the need for attention to this issue so that another generation of young African American and Latino men are not lost to this violence. Ms. Jones expressed to the Commission the very real and important role for the Commission and other departments to take a leadership role and implement the recommendations.

Ms. Jones noted that HRC staff has already begun working on some of the recommendations contained in the report. For example, the HRC has produced a *What to do if stopped by the Police* brochure, translated and produced in three languages (Chinese, Spanish and English). This brochure can help children and people in our community understand their rights as well as advocate for themselves. The HRC has also begun work on assistance on voting rights restoration, drivers license restoration, and non-custodial parent assistance, which will help strengthen families in our community. Ms. Jones thanked Dr. Thornton and her colleagues for their work on this report, and stated that she looks forward to presenting the report to the Commission in the near future.

Commissioner Littleton-Wilkinson asked that the recommendations also be presented in timeline form so the Commission may be aware of what needs to be done and how long it will take.

Commissioner Sparks expressed her concern about duplication of efforts among other City departments regarding this issue. Ms. Jones explained that the HRC is in the leadership role regarding this issues and is coordinating with other City departments to implement the community recommendations.

Commissioner Salazar-Hobson left the meeting. The quorum was not affected.

COMMITTEE REPORTS

Lesbian Gay Bisexual Transgender Advisory Committee
No report.

Employment Committee
No report.

Issues Committee
Commissioner Baghdassarian noted that the Committee attended a retreat on October 27, 2001 where they identified issues of concern as well as receiving an orientation on the Sunshine ordinance as well as other relevant City ordinance's and rules. The issues that were identified included anti-terrorism act; diminishment of civil liberties; racial and ethnic

profiling; medical marijuana; housing issues; law enforcement issues surrounding community relations with the police department and conditions in the jails; immigrant rights; homeslessness and mental disability. Commissioner Baghdassarian thanked HRC staff who participated.

Commissioner Sparks stated that the committee spoke about medical marijuana and asked Suzanne Ellis, Chair of the committee's task force on marijuana to speak to the Commission. Ms. Ellis stated that at first, the committee members wondered if medical marijuana was truly a human rights issue, but Ms. Ellis stated that medical marijuana has been in the law books for over five years and that medical marijuana use is truly a human rights issue. Ms. Ellis stated that since September 11 Supreme Court ruling, Federal Attorney General and his drug czar Asa Hutchinson have stepped up attack against medical marijuana clubs, use, et cetera. Ms. Ellis stated that Supervisor Leno of the San Francisco Board of Supervisors has written a resolution declaring San Francisco a sanctuary for medical marijuana use. Ms. Ellis stated that law enforcement has created a climate of confusion and chaos within the medical marijuana community.

Ms. Ellis' testimony was curtailed by Commissioner Sparks since this item was not an agendized item. Ms. Ellis requested that this item be agendized a future meeting. Commissioner Sparks asked that a resolution be developed by the HRC and agendized for the next meeting.

MBE/WBE/LBE Advisory Committee
No report.

Youth and Education Committee
Ms. Delgado reviewed the meeting of November 7, 2001, stating that it was a positive meeting. The committee discussed ongoing recruiting efforts and diversification of committee membership. Future goals and objectives included racial justice within San Francisco schools, Illiteracy rates among youth, youth violence, disaster training, proper nutrition and environment, as well as an annual award ceremony recognizing youth, schools, and citizens who represent excellence in human rights within our community.

COMMISSIONER DISCUSSION OF MATTERS OF INTEREST FOR POSSIBLE INCLUSION OF FUTURE AGENDA ITEMS
There were no items.

ADJOURNMENT
The meeting was adjourned at 6:30 p.m.

NEXT MEETING

DATE: December 13, 2001

TIME: 4:30 P.M.

PLACE: 1 Dr. Carlton B. Goodlett Place
Room 416
San Francisco, CA 94102

Respectfully submitted,

Virginia Harmon
Interim Director

By: Toni A. Delgado
Commission Secretary

Human Rights Commission

City and County of San Francisco

Willie L. Brown, Jr., Mayor

12/13/01
2

Regular Meeting Agenda

Thursday, December 13, 2001
4:30 p.m.
City Hall, Room 416
1 Dr. Carlton B. Goodlett Place

ROSTER OF COMMISSIONERS

Ghada Saliba-Malouf, *Chair*
Larry Lee, *Vice Chair*
Haig Baghdassarian
Shirley Dimapilis
Wilfred W. Hsu
Martha Knutzen
Antonio Salazar-Hobson
Theresa Sparks
Charles L. Ward
Leslie Littleton Wilkinson

Virginia M. Harmon, *Interim Director*

Toni A. Delgado, *Commission Secretary*

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POLICY ON CELL PHONE, PAGERS, AND ELECTRONIC DEVICES

The ringing of and use of cell phones, pagers and similar sound-producing electronic devices are prohibited at this meeting. Please be advised that the Chair may order the removal from the meeting room of any person(s) responsible for the ringing or use of a cell phone, pager, or other similar sound-producing electronic devices.

KNOW YOUR RIGHTS UNDER THE SUNSHINE ORDINANCE

Government's duty is to serve the public, reaching its decisions in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This Ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review. For more information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the Ordinance, contact the Donna Hall at the Sunshine Ordinance Task Force, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102-4683; Office 415-554-7724; Fax 415-554-5163; E-mail: Donna_Hall@ci.sf.ca.us

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Items designated by "CC" shall automatically be approved, unless a request for removal for discussion or explanation is received from the audience, Commission or Commission staff.

Public testimony will be taken on each item. Public testimony is limited to three minutes.

ORDER OF BUSINESS

1. CALL TO ORDER

2. ROLL CALL

3. APPROVAL OF MINUTES

   a. Approval of minutes of Commission Meeting of November 8, 2001
   [➲Action Item *Attachment Provided*]

4. CIRCULATE GENERAL COMMUNICATIONS FILE

5. PUBLIC COMMENT ON ITEMS NOT ON THE AGENDA
   Members of the public may address the Commission on matters that are within the Commission's jurisdiction and are not on today's agenda. Public comment is limited to three minutes.

6. REPORT OF THE CHAIR

   a. Individual Commissioner Reports on Community Activities
   [◎Discussion Item]
   b. Report on January 10 Hearing Regarding Discrimination and Hate Crimes Against Members of Arab American, Muslim, South Asian and Other Minority Communities
   [◎Discussion Item]

7. REPORT OF THE DIRECTOR

   a. Presentation of Report Regarding Human Rights Commission's Public Hearings on Escalating Violence in Communities of Color (Jones, Aseron, Delgado)
   [◎Discussion Item ➲Action Item *Attachment Provided*]

8. AUTHORIZE COMMISSION TO ISSUE SUBPOENAS TO NORCAL CONTRACTOR COUNSELING FOR INFORMATION AND DOCUMENTS RELATING TO PEAK ENGINEERING, MAHENDRAH SHAH, AND STEVE NAVARRO PURSUANT SAN FRANCISCO CHARTER SECTION 4.107 AND ADMINISTRATIVE CODE 12D.A.6.(A)(3).

9. HRC DIVISION REPORTS

a. Lesbian, Gay, Bisexual, Transgendered, HIV Division:
   i. Report on the Gender Talk Forum (Winchester)
   [◎Discussion Item]

b. Employment, Housing and Public Accommodations Division:
   i. Report on Bilingual / Bicultural Client Services
   [◎Discussion Item]
   ii. Report on San Francisco Administrative Code 12.K. Local Implementation of the United Nations Convention on the Elimination of All Forms of Discrimination Against Women (Herrera)
   [◎Discussion Item *Attachment provided*]

c. MBE/WBE/LBE Division:
   i. Discussion of Chapter 12.D.A. December 1, 2001 Quarterly Report (Villacarlos)
   [◎Discussion Item *Attachment provided*]
   ii. Chapter 12.D.A. Waiver Report for November (Wesley)
   [◎Discussion Item]

10. COMMITTEE REPORTS

a. Lesbian Gay Bisexual Transgender Advisory Committee
   Commissioner Martha Knutzen, Chair
   Commissioner Theresa Sparks, Vice Chair
   Larry Brinkin, Committee Staff

   i. Report of November 20, 2001 Committee meeting
   [◎Discussion Item]
   ii. Request Commission to appoint Jamison Green to the Transgender Civil Rights Implementation Task Force
   [◎Discussion Item *Attachment provided*]
   iii. Announcement of cancellation of LGBTAC meeting in December
   [◎Discussion Item]

   NOTE: *The next meeting of the Lesbian Gay Bisexual Transgender Advisory Committee will be held on Tuesday, January 15, 2002 at 5:30 p.m. at the Human Rights Commission offices, 25 Van Ness Avenue, Eighth Floor Conference Room, San Francisco, CA 94102*

b. Employment Committee
Commissioner Larry Lee, Chair
Commissioner Wilfred Hsu, Vice Chair

i. Report of December 6, 2001 Committee meeting
[◎Discussion Item]

NOTE: *The next meeting of the Employment Committee will be held on Thursday, January 3, 2002,at 1:30 p.m. at the Human Rights Commission offices, 25 Van Ness Avenue, Eighth Floor Conference Room, San Francisco, CA 94102*

c. Issues Committee
Commissioner Theresa Sparks, Chair
Commissioner Haig Baghdassarian, Vice Chair
Emil De Guzman, Committee Staff

i. Report of November 14, 2001 Committee meeting
[◎Discussion Item]
ii. Report of December 12, 2001 Committee meeting
[◎Discussion Item]

NOTE: *The next meeting of the Issues Committee will be held on Wednesday, January 9, 2002, at 5:30 p.m. at the Human Rights Commission offices, 25 Van Ness Avenue, Eighth Floor Conference Room, San Francisco, CA 94102*

d. MBE/WBE/LBE Advisory Committee
Commissioner Charles Ward, Chair
Commissioner Shirley Dimapilis, Vice Chair
James Fields, Committee Staff

i. No report.

NOTE: *The next meeting of the MBE/WBE/LBE Advisory Committee will be held on Wednesday, December 19, 2001, at 5:30 p.m. at the Human Rights Commission offices, 25 Van Ness Avenue, Eighth Floor Conference Room, San Francisco, CA 94102*

e. Youth and Education Committee
Commissioner Shirley Dimapilis, Chair
Commissioner Charles L. Ward, Vice Chair
Toni A. Delgado, Committee Staff
Melinda Wesley, Committee Staff

i. Report of December 5, 2001 Committee meeting
[◎Discussion Item]

ii. Announcement of cancellation of Youth & Education meeting in January
[◎Discussion Item]

NOTE: *The next meeting of the Youth and Education Committee will be held on Wednesday, February 6, 2002, at 5:30 p.m. at the Human Rights Commission offices, 25 Van Ness Avenue, Eighth Floor Conference Room, San Francisco, CA 94102*

11. COMMISSIONER DISCUSSION OF MATTERS OF INTEREST FOR POSSIBLE INCLUSION OF FUTURE AGENDA ITEMS

12.ADJOURNMENT

All meetings are held at: City Hall, 1 Dr. Carlton B. Goodlett Place, Room 416, San Francisco, CA 94102, unless otherwise stated

REGULAR MEETING Thursday, December 27, 2001 **CANCELED** in observance of holiday season

REGULAR MEETING THURSDAY, January 10, 2002 **CANCELED** INSTEAD, JOINT HEARING OF THE Board of Supervisors AND THE Human Rights Commission

:

JANUARY 10, 2002

City and County of San Francisco

Board of Supervisors
City Hall
#1 Dr. Carlton B. Goodlett Place
San Francisco, California 94102-4689
415-554-5184 Phone
415-554-5163 Fax

Human Rights Commission
25 Van Ness Avenue, Suite 800
San Francisco, California 94102-6033
415-252-2500 Phone
415-431-5764 Fax

The San Francisco Board of Supervisors' Social Policy Committee
and
The San Francisco Human Rights Commission
will hold a Joint Hearing on

Backlash, Violence, Human Rights Violations & Discrimination in San Francisco in the Wake of September 11, 2001.

The Hearing seeks to solicit testimony from Arab Americans, Muslims, South Asians, people of Middle Eastern descent, immigrants and refugees.

Elected officials, federal agencies, and city departments will be in attendance to address the public's increasing concerns and provide information on the types of services being offered.

Thursday, January 10, 2002
5:00 p.m.
City Hall, Legislative Chambers, Room 250
1 Dr. Carlton B. Goodlett Place
(Arabic translation services will be available)

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For questions, please contact:
Mike Farrah, Supervisor Gavin Newsom's Office @ (415) 554-5944
Nichole Truax, Human Rights Commission @ (415) 252-2517

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For Review & Comment

VIOLENCE IN OUR CITY:

Research and Recommendations to Empower Our Community

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Report from the San Francisco Human Rights Commission

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PART ONE: INTRODUCTION

Introduction

San Francisco welcomed the 21st Century with a wave of unprecedented violence. From November 2000 through March 2001, San Francisco's African American neighborhoods witnessed more than 50 murders. The overwhelming majority of the victims were young African American males. The succession of killings deprived the African American community of one of its greatest resources, causing psychological and economic harm to already impoverished neighborhoods.

Despite its palpable impact on an important segment of San Francisco, the proliferation of violence received little to no media coverage. Information regarding the attacks was spread almost solely by word-of-mouth. Traditional methods were not able to stem the tide. Frustrated with the tragic killings, community leaders appealed to the Human Rights Commission (HRC or the Commission) for assistance.

The Commission's Efforts

This report reflects the Commission's commitment to solving the problem of violence as opposed to examining its root causes.[1] Specifically, the Commission focused on the role of City government in alleviating violence. Realizing that communities of color share the same problem of intra-community violence, the Commission broadened the scope of its efforts to include all of San Francisco's communities of color.

December 14, 2000 marked the beginning of the Commission's formal efforts to address the issue of the increasing level of violence in San Francisco's communities of color. Over the course of several meetings, the Commission held public hearings to explore ways of arresting the epidemic proliferation of the

[1] For a comprehensive historical analysis of violence in African American communities, see Appendix A of this report.

violence plaguing the affected communities. The hearings dealt primarily with the role of City government and the media.

The hearings had a dual purpose. First, they were designed to give members of the affected communities and the general public an opportunity to share their experiences and concerns about violence and its impact on them and their communities. As those closest to the escalating violence, community members were most likely to give accurate accounts of its impact. Second, the public hearings offered heads of key departments the opportunity to present information regarding programs specifically tailored to addressing violence.

In addition to the public hearings, the Commission also hosted several community focus groups in the affected communities: Bayview-Hunters Point, Visitacion Valley, Western Addition and the Mission District. A youth focus group was held at San Francisco City Hall to get the input of the youth and solicit plausible solutions. The results of the focus groups were presented at the Mayor's Crime Summit, which was held on March 7, 2001.

It should be noted that, although San Francisco's communities where high concentrations of African Americans reside (Bay View Hunters Point, Western Addition, and Visitacion Valley) are the primary foci of data represented in this report, there was no intent by the Commission to minimize violence and the adverse effect it has on other segments of the San Francisco community. To be sure, violence affects everyone to varying degrees. The Human Rights Commission's concern about the escalation of drive by shootings and Black on Black killings involving guns compelled them to address violence in predominantly African American communities.

Immediate Commission Action

The Commission took several immediate steps to address the issue of escalating violence in communities of color. First, a letter went out to Mayor Willie L. Brown, Jr. and the Board of Supervisors, requesting action to stem the

tide of violence. Second, the Commission directed HRC staff to prepare a comprehensive catalogue of City services. A final version of the *Youth & Families Resource Guide* was approved by the Commission on July 12, 2001.

Third, the Commission formed a task force to oversee the allocation of city resources to the affected communities. The task force was asked to 1) assess the needs of the affected communities, 2) identify already existing program and services, 3) identify gaps in service, 4) make recommendations to the HRC commissioners and forward them to the Mayor and Board of Supervisors regarding the funding for programs, and 5) advocate for funding of programs that are having a positive community impact in deterring violent in the community.

The twenty-one member Task Force was made up of community representatives with expertise in implementing programs within the Bayview-Hunters Point, Potrero Hill, Mission District, Western Addition and Visitacion Valley communities. Relevant City Department heads were invited to provide an overview of their department and its budget, with a focus on how programs are funded. The purpose of the Task Force members was to serve as the voice of these communities in the City's Budget preparation for fiscal year 2001-2002 budget. In particular, the Task Force addressed funding allocation for after school programs and the need for continued funding of programs that address the needs of high-risk youth and families. A full list of the Task Force's recommendations can be found in the Recommendation section below.

Organization of the Report

This report is organized in the following manner: Part Two contains recommendations for addressing the escalating violence obtained from the community focus groups and hearings, as well as recommendations from the Task Force. Part Three contains summaries of input from members of the public and department heads during the public hearings and the focus group discussions. This input formed the basis for the recommendations. Part Four

concludes this report. Appendix A is an article that gives a more comprehensive historical perspective to the problems of violence in the United States of America and in San Francisco.

Please note that this report refers to the Unfinished Agenda, published by HRC in 1994. This report and the Unfinished Agenda share many of the same concerns and recommendations. By implementing the recommendations found in this report, the Commission can follow-up on the suggestions made in the Unfinished Agenda.

PART TWO: COMMUNITY RECOMMENDATIONS

The participants at the public hearings and focus groups examined the various causes of violence in San Francisco's communities of color. Although they approached the issue from a variety of perspectives, and with varying emphases, the following represents recurring recommendations.

These recommendations fall into the following major categories: education, recreation, youth mentoring, economic development, media, city services, public health, law enforcement, and Task Force recommendations. Although all of the recommendations do not fall within the Commission's authority, it is important that the recommendations be integrated and implemented collectively.

I. Education

- Institute youth achievement awards to reward high achieving students who live in the affected communities.
- Introduce youth leadership and civic lessons in public schools.
- Offer courses in mediation and anger management in order to equip the youth with the skills necessary to resolve disputes without recourse to violence.
- Improve youth educational experience through improvements in school curricula, such as the addition of creative arts programs tailored to the youth experience.
- Reduce class size, particularly for students with learning disabilities.
- Modernize learning facilities.
- Implement measures to ensure that teachers in inner city schools are well trained and have access to adequate resources.

II. Recreation

- Provide improved after-school programs for young people, such as Midnight Basketball, creative writing classes, drama, theatre, photography, and music classes.
- Ensure that public parks are clean, well-maintained, and safe.

III. Youth Mentoring

- Implement a City-wide mentorship program that will provide access to positive authority figures, particularly for at-risk young people. Mentors should be sensitive to the cultural and economic backgrounds of the participants. The program should also include mentors in the business and government sectors who can guide participants in the search for employment and integration into working life.
- Provide mentorship programs for young parents to assist them in raising their children.
- Institute a process for community recognition of high achieving and civic-minded young people.
- Increase community involvement in the lives of young people by providing a forum for dialogue between the youth and adults.

IV. Economic Development

- Increase apprenticeship and job training programs for young people as a means of preparing the youth for gainful employment in the formal economy.
- Establish a youth entrepreneurship program to assist young people in developing critical business skills and to prepare them for entry into the business community.
- Coordinate City government's efforts to address the economic instability in the affected communities. Of particular concern to participants was the lack of economic opportunity. Job creation suggested as the primary means of creating a stable economic climate in the affected communities.
- Devote more resources to youth employment in the affected communities.

V. Media

- Create a public forum for dialogue between the media and communities of color as a means of airing and addressing concerns on media coverage of communities of color.
- Provide logistic and technical assistance to communities of color to assist them in their interaction with members of the media.

- Commission a content audit of media coverage of the escalating violence.
- Provide cultural and sensitivity training to members of the media.
- Implement a program to increase diversity in newsroom personnel in order to properly reflect a cross-section of opinions and views.

VI. City Services

- Publish a catalogue of programs (city and non-governmental) designed to address the issue of violence in the affected communities.
- Create one-stop community outreach centers where community members can go to access a wide array of government services.
- Provide adequate assistance to non-English speakers to ensure that they have access to the same range of services as English speakers.
- Increase bilingual staff in government agencies to improve access for non-English speakers.
- Establish criteria for judging effectiveness of publicly funded community programs.
- Require greater accountability on the part of agencies and organizations that receive public funds.
- Increase coordination between publicly funded organizations to avoid duplication of services and attendant waste.

VII. Public Health

- Increase access to therapy and other mental health services to deal with the effects of violence in the affected communities.
- Evaluate the possibility of subsidizing these services with State and Federal funds.

VIII. Law Enforcement

- Focus law enforcement efforts on gun dealers who contribute to the influx of guns in the affected communities.
- Increase penalty for gun possession.
- Aggressively target street-level drug dealers in the affected communities.

- Focus on the drug barons who supply drugs to street level dealers.
- Target and prosecute "professional criminals" who continue to make life unbearable to members of the affected communities.
- Increase treatment programs available to drug users.
- Adopt a systematic and long-term approach to rehabilitation by providing offenders with carefully targeted services during incarceration, such as educational programs that would equip them for re-entry into society and programs that ensure that the stigma of incarceration does not prevent ex-offenders from completely reintegrating into civil society.
- Create a program that addresses policies and programs that deprive offenders of benefits needed to reintegrate into society.
- Adopt an effective witness protection program tailored to the affected communities.
- Increase police/community trust by having police visit middle and high schools to educate students on the issues of drugs and violence.
- Re-establish beat police officers on the streets.
- Improve the process for formal/informal dialogue and communication between the police and the communities.
- Ensure diversity in the membership of the police force as a means of promoting cultural diversity and accessibility to non-English speakers.
- Continue to handle youth in Juvenile Courts, with sanctions and services designed to punish them and quickly reintegrate them into society.

IX. Task Force Recommendations

- Allocate City funds for a program that addresses the needs of high-risk single fathers.
- Implement an information campaign aimed at restoring voting rights for those convicted of a criminal offense.
- Publish a brochure for youth on what to do when stop by the police.

PART THREE: SUMMARY OF PUBLIC HEARINGS

The First Hearing

January 11, 2001 – Meeting of the Human Rights Commission

Lana Miller
Founder and President, Girls 2000 and Safe Haven Director

Ms. Miller is a native and resident of Bayview Hunter's point community. She began by saying that the issue of violence is a very emotional subject for her, and that the most difficult part of what is happening in her neighborhood is that young people are murdering each other. She believes that many black children are in so much pain that many of them have given up hope, and the most distressing thing about the violence and hopelessness is that it is entirely preventable. Children are very impressionable and open to change, and most of them reach toward the light.

She believes that a confluence of factors account for the high level of violence in the Bayview Hunter's Point area. Bay View Hunter's Point is the area that has the highest percentage of children in San Francisco, while also having the highest rate of environmental and social problems. She lamented the fact that amid the boom of the Internet economy, such a community would be deprived of resources and attention by the government and computer industry.

She spoke about her experience with the Bayview's Safe Haven, which was in a high state of disrepair when she became involved with it. With a bit of effort, the Haven was able to procure a computer lab, refurbish its office, and make the environment more welcoming to those who use the facility. The refurbishment of the facility, in her view, has led to a significant change in the life of the immediate community because most of the young people that would usually hang around the streets and risk being attracted to deviant behavior are now drawn into the

Haven where they have access to educational and other activities conducted in a beautiful and welcoming environment.

Ms. Miller concluded by stating that what is needed is for institutions like the Commission to help visualize a solution to the problem, and to have a range of resourceful, dedicated and committed people to help address the root causes of the problem of violence is these communities. "I would like to ask the HRC to please take the leadership in beginning that process so we can begin to heal, and that our children can grow up and be proud of themselves, and feel good about what they have to contribute to society at large."

Dr. Amos Brown
Senior Pastor, 3rd Baptist Church

Dr. Brown began by suggesting that the problem of violence in communities of color in San Francisco has reached pandemic proportions, especially in the Bayview Hunter's Point and Western Addition areas of the city. He stated that during his days as a youth in Mississippi "we went to funerals to say goodbye to grandma and grandpa, aunts and uncles. But these days in San Francisco we are going to funerals where grandparents, aunts and uncles and parents are saying goodbye to their children, between the ages of 15-30."

In regard to the causes of violence in these communities, he cited economic deprivation, lack of education, and lack of recreational activities, but added that a major problem is the fact that the African American community has not received "equal protection under the law." The law enforcement agencies have not been as diligent and committed in fighting crime in the African American community as they are in other communities.

In articulating his theory of the lack of equal protection under the law for African American communities, he expressed the view that most of the young men who commit acts of violence and murder are "full fledged professional thugs and criminals," who are not in the least interested in using the facilities available

to them for self-improvement and recreation. Some of these people are not keen on taking up the educational opportunities available to them in places like community colleges and other institutions that provide skills training. "They have made it their lifestyle to hang out on the corners, selling drugs, controlling the turf, and making some quick and fast money."

He decried the fact that the law enforcement agencies are not vigilant in policing and cracking down on the activities of this element of the community. He illustrated this fact by giving the example of a recent Board of Supervisor's initiative creating a well-needed shelter for gay and lesbian teenagers. Under the conditional use plan for the shelter, it was specifically provided that there would be no drunkenness, no drug dealing and loitering around the shelter. He commended the initiative and the actions of the supervisors in attempting to ensure that the affected teenagers live in a healthy environment, free from unhealthy criminal and anti-social activities. He wondered, however, why the same attempt is not made to adequately police activities in African American communities. "The suggestion is that as long as it happens over there, as long as it doesn't come to my door or up to my street corner, fine."

He went on to buttress the ripple effect the activities of the criminal elements have on the community at large by highlighting the "environmental" stress under which members of the affected communities, in particular senior citizens, have to live. Most of these people are afraid to go out at night. During the day, they do not feel the same level of safety that people in other communities take for granted.

In terms of the solution to the problem, he re-emphasized the need for more active policing of the communities. He suggested that a state of emergency should be declared in these communities, and well-trained and culturally sensitive police and gang task force members sent into the communities to deal with those undermining peaceful existence. "We don't want any brutality. We don't want anybody going crazy and being unprofessional. What this police

department needs to do after declaring the state of emergency is make sure there are officers in these hot spots who will take care of business."

He further suggested the need to review the prison and detention system to ensure that young men are not just locked up ("warehoused") without being provided adequate opportunity for retraining and education. A significant percentage of African American males (those most directly affected by the ongoing violence in the city) pass through the criminal justice system. Rehabilitation of those who come in contact with the system is important because they would otherwise return to their communities more hardened and more prone to re-engage in criminal and anti-social activities. He suggested the importance of conducting a study to determine whether the system is "treating prisoners and detainees in such a way that they come out meaner after they have been through there." To him, rehabilitation should be a central part of our criminal justice system.

Continuing on the theme of rehabilitation, Dr. Brown spoke of the need for those who have turned their lives around and paid their duties to society to be fully accepted into civil society and not be denied any of the benefits of citizenship. He condemned the hardship, which many reformed citizens face in trying to reorganize their lives and participate in our democratic process. He gave the example of a young man in his church who went through the criminal justice system, is now reformed and a minister in the church, a home owner, worker and family man, but who continues to find it difficult to completely integrate into civil society due to his previous problems with the law. Dr Brown characterized this as a human rights issue and argued that the government should find a way of making it easier for reformed citizens to be completely and painlessly reintegrated into civil society.

Robert Hector
Eli Hill Hutch Community Center

Eli Hill Hutch Community Center (the Center) is located in Western Addition. Mr. Hector, who has been with the Center since 1981, began by stating that the crisis of violence currently being experienced in the community is similar to that experienced between 1982 and 1984. In his view, a comprehensive approach to solving the problem of violence in the affected communities is needed. He drew on his experience in the administration of the Elli Hill Hutch Community Center in identifying a variety of measures that would help reduce the current level of violence.

First, he decried the ease with which guns are available to those who engage in these violent activities. Due to the ready availability of guns, disputes that would ordinarily be resolved by peaceful means are settled, in the heat of the moment, by recourse to gun violence. Reduced availability of guns would go a long way in curtailing the level of violence in these communities.

Second he stressed the need to inculcate the value of education in the youth. Most of those involved in the violence have very little education, and by implication have decreased opportunities of being gainfully employed in the formal economy. Formal education would be helpful both in terms of broadening their perspectives on life, and in opening up to them new doors of opportunities which would lead them away from criminal and anti-social behaviors.

Third, Mr. Hector acknowledged that there are several programs designed to assist at-risk youth, but suggested that the creation of these programs is not enough. Equally important is the need to devise effective means of attracting the target group to these programs and encouraging them to avail themselves of the services and facilities designed to cater to them. One way of doing this is to design programs that are based on an appreciation of the kinds of activities and subjects that are appealing to the target group. He gave the example of Midnight Basketball that he set up at a time of increasing violence due to the gang wars

between groups in Western Addition, Hunter's Point, Sunnydale and Ocean-Merced-Ingleside (OMI). The program was successful in attracting a wide range of youth and was a contributing factor in reducing the level of violence that then plagued the communities. He lamented the fact that successful and well-targeted programs, such as Midnight Basketball, usually suffer fatal budget cuts at the first sign of a perceptible decrease in violence.

Fourth, he emphasized the importance of an effective witness protection program. He spoke about a young man who lost his life because he had agreed to testify against one of those who engaged in violence in his community. Many people remain reluctant to come to the assistance of the police and law enforcement agencies unless they are afforded adequate protection and given guarantees about their safety.

Fifth, he spoke of the need for more aggressive police action against those who choose to engage in criminal activities: "The police have to take them off the streets and incarcerate them because they otherwise will not abide by the law."

In conclusion, Mr. Hector argued that the community as a whole has a moral and ethical responsibility to set high standards of conduct for the youth. "I don't like to point fingers but I think the community as a whole has to come back and set standards for the young people."

The Second Hearing

January 25, 2001 – Meeting of the Human Rights Commission

Enola Maxell
Community Activist

Ms. Maxwell commented on the role of drug abuse and drug dealing on the escalating rate of youth violence in the city. She believes that much of the violence plaguing the city has to do with drug abuse. She commended the efforts of the law enforcement agencies to eradicate drugs in the affected communities, but complained that there is a disproportionate focus by the law officers on small time drug dealers. Many of the young people who are involved in drugs are usually apprehended, tried, and incarcerated, but little is done about the major players in the drug economy: those in the upper channels of distribution who import the drugs into the country. She believes that the selective targeting of street dealers tends to give the erroneous impression that street dealers, who mostly live in housing projects, are the sole cause of the drug epidemic. If we are to successfully battle the problem of drugs and the attendant violence, the battle should be waged against "all the people who are involved with drug use and distribution, not just the small time kids who get the drugs from the people who drive up in their big beautiful cars and say, here's your package, see that it's sold."

She next commented on the strategies used in the fight against drug dealing and drug abuse in properties owned by housing authorities. She spoke against the policy of ejecting families whose children are involved with drugs. In her view, this policy creates homelessness and is particularly unfair on the families, who oftentimes are unaware of the activities of their children, and who should not be expected to "go around searching the rooms of their kids, time and again." A better policy in her view would be to eject adult children in housing projects who are involved with drugs.

Jonathan Holtzman
Mayor's Office

Mr. Holtzman expressed the Mayor's deep concern about the escalating level of violence in the city, and explained the purpose of the Crime Summit, initiated by the Mayor's Office. According to him, the dual objectives of the summit are to get a sense of community perception of the problem and to have a serious and robust discussion on the solutions to the problem. He expressed the view that drug dealing and drug abuse are at the center of the current epidemic of violence in the city. The drug problem is compounded by the ready availability of guns, usually high-powered guns, bought with drug money. "What everybody has told us is that the drug sales are feeding the gun frenzy."

He concluded with the caution that the fight against violence in the city should be done in a way that people do not feel harassed by law enforcement agencies, and racial profiling does not become a tool of selectively targeting members of the community. There is a need to balance the need for robust police response to gun violence with respect and civility to members of the community.

Commander Rick Bruce
San Francisco Police Department

Mr. Bruce discussed the police effort in addressing the issue of violence. He began by noting that the series of shootings and homicides have been primarily located in Bayview Hunter's Point and the Western Addition neighborhoods of the city. According to him, most of the homicides are inter-related and are usually a case of one group retaliating against another for the killing of one of their members. He claimed that this "tit for tat" leads to a continuous escalation in the violence. In response, the police have set up a task force of police officers, probation officers, parole officers and representative of the DA and Sheriff departments to address the issue. He noted that the task force has been successful in reducing the level of violence by investigating and

prosecuting those involved in the violence. One drawback to the effectiveness of the task force and the efforts to curb the violence has been the reluctance of witnesses to assist the police in apprehending and trying those involved in violent activities. Most cases are not "prosecutable" because "people are scared of retribution and scared to come into the court."

Cmdr. Bruce noted that the police response has been very traditional, in that it has been primarily focused on attempting to make arrests, confiscate guns and ensure the prosecution of culprits. In doing so, he noted the police have been vigilant to ensure that there is no racial profiling of community members. The President of the Police Commission is particularly interested in this issue and has made efforts to use software to track all police investigative detentions, traffic stops, and arrests.

He concluded by noting that the police routinely hold community meetings to address not only the issue of violence in the communities, but also other policing issues that concern the community. He gave the example of a community forum held in the Western Addition where the increased level of violence in the district was addressed.

Chief Jesse Williams
SF Juvenile Department

According to Chief Williams, the Juvenile Department has adopted a balanced-justice philosophy, under which the department operates as a primary and effective resource for positive change in the lives of youth and their families, ensures accountability to victims, and assures the protection of the public. Thus, the department involves offenders and their families, the community, and victims of crime in the process of creating opportunities for positive youth development, "which is the best and the most time honored, and most effective deterrent for delinquency in general, and youth delinquency in particular."

Chief Williams approached the discussion from a preventive perspective. He began by noting that the problem of youth violence is no longer primarily a male problem; large numbers of young women are now involved in delinquency in general, and violence in particular. He noted that the department has made concerted attempts to address the issue of violence amoung young women by expanding the range of services available to female offenders.

In terms of the causes of youth violence, he argued that "violence is a learned behavior" and that the environment plays a crucial role in molding youth behavior. "Most kids don't wake up in the morning and decide, ok, I think I'll go out and be violent today because that is what's on my agenda. It's part of the environment, it's a part of what they learn, and it's a part of what they live with everyday." He suggested that a variety of factors are useful in providing a good projection of where young people are likely to be involved in delinquent behavior and when such behavior could become violent.

These factors relate to the community, the family, the school, and peer influences. In particular, he mentioned factors such as substance abuse, prevalence of violence in particular communities, the ready availability of guns and drugs, peer group involvement in delinquent behavior, poor school attendance, and poor academic achievement. These are some of the different facets of environmental and social issues that influence youth behavior. He suggested that any strategy designed to address these issues must focus on the creation of "healthy communities:" "Bottom line, what we know is where there are healthy communities, and where young people grow up in healthy communities where they feel they have options and opportunities for success, the incidents of delinquency and the likelihood of violence is significantly reduced or even eliminated."

The services and activities of the Juvenile Department are targeted to respond specifically to these kinds of risk factors and potential delinquency indicators in communities. Chief Williams gave three examples of such targeted

programs. He began with the Robeson and Rivera Academy located in Bayview Hunter's Point district of the city. The academy, a joint effort with other government agencies, is targeted at young people who are likely to become repeat offenders. The academy is committed to early intervention in addressing the concerns of both the youth involved and their families. In addition, the curriculum of the academy has a significant arts component, designed to get young people interested in creative and stimulating endeavors like writing, drama, dancing, and other cultural activities that are typically considered unappealing to young people who create difficulties in their communities. The next example was Writers' Core program, under which a writer or poet in residence goes to the Cabin Ranch on a regular basis each week to work with young men and teach them how to explore their feelings and how to express those feeling through writing. Finally, he spoke about the eight Beacon Centers, located throughout the city, which provide essential services to young people.

In conclusion, he stated that the department is very concerned about ensuring the effectiveness of its programs. To this end, it is putting in place a process for systematic and continuous evaluation of the success of all its programs. According to him, the bulk of the programs evaluated so far indicate reasonably good levels of success when compared with their counterparts across the country.

James Threat
Park and Recreation

Mr. Threat's presentation focused on the Midnight Basketball program and its role in reducing the level of violence in the city. He stated that, contrary to popular belief, the program has not been cancelled. It is organized once a year, sometimes twice, and usually from February through April. The program is targeted at those young people who hang out on the streets and are thereby attracted to anti-social activities. It is a way of getting them off the streets and keeping them engaged in useful activities. He noted that the basketball

component is not the major focus of the program; it is merely the "hook" to get young people into the community centers, where they will be exposed to educational and informative activities.

One of the key components of the program is that participants are required to take part in workshops as a condition for involvement in the league. These workshops are designed to teach useful skills and provide valuable information to young people. The workshops cover issues such as resume writing, job search skills, interview skills, and how to obtain GED and other educational certificates. The workshops also provide a forum for young people to discuss and be informed about health issues that directly affect their communities, such as AIDS. Mr. Threat acknowledged the need to extend the program to the summer period when young people are out of school, have lots of time, and are tempted to loiter around. However, he noted that financial and staffing pressures currently prevent the department from extending the program. "We need additional funding to make sure we have the people that can put the league together."

Reverend Timothy Dupre
Member, San Francisco Juvenile Probation Commission
Assistant Pastor, Community Baptist Church, Western Addition

Reverend Dupre cautioned that the problem of violence could not be solved by incarceration, or policing, or by summits, or churches. Any solution to the problem of violence must address the issue of "disenfranchisement that many young people have and feel, to make them a part of the mainstream." This could be done in part by creating educational and job opportunities that would help young people integrate into mainstream society. The alternative is for these young people to resort to gangs and the informal economy. He suggested that the creation of a healthy living and social environment for young people should involve collaborative efforts by government agencies, churches, and the communities involved.

The Third Hearing

February 8, 2001 – Meeting of the Human Rights Commission

Dr. Joe Marshall
Founding Director, The Omega Boys Club

Dr. Marshall began by suggesting that the key to preventing serious violence is understanding the causes of violence, predicting when and where violent activities will occur, and implementing effective strategies for prevention and intervention. He commended the Surgeon General's Report on Youth Violence (he served on the Planning Committee) as a source of latest research and important findings in the area of violence. He said the report is useful in terms of suggesting solutions that work and in debunking myths that obscure the need for informed policy and intervention.

He spoke about four such myths. The first is the myth that the violence that marked the early 1990's is over and that young people are safer today. On the contrary, he stated that youth violence remains at the peak levels reached in 1993. Second is the myth that minority youth are more likely to be involved in serious violence. According to him, ethnicity has little bearing on violent behavior. Third, he suggested that there is a myth that getting tough with juvenile offenders by treating them as adults in criminal courts would reduce youth involvement in criminal activities. Contrary to this assumption, facts indicate that youth who go through the adult criminal courts have a higher rate of recidivism than those who go through the juvenile justice system. Finally, he argued that, contrary to the myth that nothing works with respect to treating and preventing violence, there are effective intervention programs that meet high scientific standards. In conclusion, he suggested that the commission should, like the Omega Boys Club, adopt a systemic, long-term approach to rehabilitation, based on the application of pubic health principles and strategies.

He directed the commission to seriously consider the recommendation of the Surgeon General's Report.

Gregory Slocum
San Francisco Residents

Mr. Slocum spoke about the need to build understanding and trust between the community and law enforcement organizations and personnel. Fear and distrust characterize the existing relationship between law enforcement and segments of the community. In his view, trust between the two groups could be fostered by law enforcement officers taking time to go into the communities to interact with the people one on one, instead of a engaging in more formal interactions that promote fear and distrust. Members of the community should be made to understand and accept that not all city and law enforcement officials are enemies. He noted that it would take time to build a relationship of trust between the two groups, but suggested that it is important to admit the existence of the problem and to begin to establish informal channels of contact and communication.

Mr. Paul Cummins
Chief Assistant District Attorney

Mr. Cummins remarked that one of the major problems in San Francisco is that people are afraid to come forward and provide information to the police when crimes have been committed. He spoke about an incident where a person was brave enough to come forward and testify against an accused criminal, but was killed three days before he was to testify. He lamented the pervasiveness of retaliation and violence, and said that in his 54 years of living in San Francisco he had never seen this level of epidemic of violence. On the role of the District Attorney's Office, he stated that by the time the matter gets to the DA's office, the violence has already taken place and all the DA can do is to vigorously

investigate and prosecute the case, and to ensure that the perpetrators face the full force of the law. In discussing the suggestions for the use of community District Attorneys who will be assigned to certain neighborhoods, like a storefront-DA in the Bayview, he stated that such a program would need monetary and material resources, as well as Board approval.

Sharon Wu
Gang Division, District Attorney's Office

Ms. Wu reaffirmed Mr. Cummins' statement that there is an urgent need to find a way of encouraging witnesses of a crime to come forward and assist the law enforcement agencies. She added that a big challenge to the San Francisco Police Department is the reluctance of witnesses to come forward and testify due to concerns for their safety. To this end, Ms. Wu said that her department is in the process of setting up a witness relocation program, but cautioned that the process is going to be difficult. In her view, gang violence is a major problem and not localized in one community. Community cooperation with law enforcement in terms of coming forward with material evidence would be of great help in fighting gang violence.

Liz Aguilara-Tarky
Narcotics Division, District Attorney's Office

Ms. Aguilara-Tarky began by stating that central to most cases of violence and gun use is the issue of narcotics abuse or sale of narcotics. She mentioned that street level drug dealing has been a major community concern in San Francisco and expressed concern at the staggering number of narcotics-related arrests made in San Francisco: 600 to 650 arrests every month. While this number of arrests places a strain on the resources of her department, the department nonetheless maintains a policy of aggressively investigating and prosecuting all narcotics cases. As part of its comprehensive strategy of fighting

the problem of narcotics, her department channels eligible users of narcotics to drug treatment programs designed to assist users in their recovery. In her view, all communities share the same law enforcement concern of reducing street violence and stopping street-level drug dealing. She concluded by indicating that it is the goal of her department to work in concert with other law enforcement agencies to eliminate or minimize drug dealing and the violence it promotes.

Mu-Lin Lai and Marlene Tran
San Francisco Residents

Ms. Mu-Lin, who has been in the United States for less than a year, spoke about the frightening experience of her sons who, on November 16th 2000, were accosted by two people on their way back from school and violently attacked. She stated that it was the intervention of a good-samaritan that prevented her younger son from being stomped to death by his attackers. Her son suffered serious injuries as a result of the attack, and when the police arrived at the scene they were not able to provide much assistance. She had to take her son to the hospital by taxi, as she could not afford the cost of ambulance (which she was told would cost between $400 and $600). She said she has been so traumatized by the experience that she felt the need to relate it to the tribunal. Ms. Mu-Lin expressed her difficult in communicating with the police and emergency services during her son's ordeal, and deplored the lack of facilities to help those like herself who have language problems.

Ms. Tran, a teacher of English as a Second Language, assisted Ms. Mu-Lin through her ordeal. She complained about the lack of resources for people with language difficulties, and stated that such people find it difficult to access government services without the help of translators. For example, in an informal survey she did in 1995, 60% of her students had been victims of crimes, but most had difficulty with accessing or were reluctant to contact law enforcement agencies due to their language difficulties. She noted that while there are all sorts of assistance for people with disabilities, services for those with language

difficulties are insufficient. In her view, government statistics on hate and other crimes may be inaccurate because people with language difficulties are often hesitant in filing formal complaints.

Fred Persilly
California Association of Human Rights Organizations

Mr. Persilly spoke about two successful youth violence prevention programs with which he has been involved, and suggested that the Commission would benefit by drawing from the positive aspects of those programs.

He began with the Santa Fe Springs program. A few years ago the community of Santa Fe Springs was plagued by youth violence and gang activities. There had been several homicides and there was a lot of hostility between law enforcement and the community. The city established channels of communication with the youth and sought their input in fighting street violence. In conjunction with the youth, the city devised a strategy for reducing the level of violence and curbing the degree of suspicion and hostility between the youth and the law enforcement agencies. The measures taken by the city included: Providing more youth recreation facilities, providing counseling services to those in need, and changing the role of law enforcement personnel. Mr. Persilly emphasized the change in the role of law enforcement officials, who were required to spend more time building informal relationships with the young people. For example, officers participated in sports activities with local youth. He noted that as a consequence of these measures, the rate of violence was substantially reduced.

Mr. Persilly also related the North Richmond experience, where he was involved in devising a strategy for addressing the increased level of violence in the city. Working with at-risk young people in the affected areas, the city created a community justice council made up of young people from different groups and people from neighborhood communities. These young people were linked with

seniors from their communities in order to sensitize them to each other's perspective and to provide channels of communication between them.

He ended by lamenting the distrust and distance between law enforcement and the community. In particular, he mentioned that some young people feel disrespected by the police because they feel they are over-policed. He emphasized the importance of bridging the divide between the two groups, but noted that the strategy for accomplishing this should include focusing on the real needs of young people and on ways of demonstrating to them that they too have a vested interest in reducing violent incidents in their communities. What is needed is "going in and really talking about what are some of the needs in the community and how we can work with the youth to begin to address some of the problems they are facing." In his view, it is only in addressing the needs of the youth that they can be made to see that they have a stake in maintaining law and order.

Myron Howard Johnson
Chairman, Youth Commission

Mr. Johnson made several suggestions on how to address the problem of violence in the community. First, he suggested that police officers be made to visit public high and middle schools to talk with students as a means of both educating the students and creating better relationships between young people and the police. Second, he suggested that police officers should undergo training on how to interact with, and relate to, young people. Third, he was of the view that centers of criminal activities in the city should be cleaned up so that young people could have a more pleasant social environment. Fourth, he deplored the lack of youth participation in the activities of the commission and other public agencies engaged in addressing the issue of violence, as this prevents these bodies from getting the perspective of those directly involved in the matter at issue. He emphasized the need for involving young people in the deliberative activities of the commission and other public agencies.

Lieutenant Kitt Crenshaw
SFPD Gang Unit

Mr. Crenshaw grew up in Bayview Hunter's Point and has been a member of the police department for approximately twenty-four years. He spoke about the increased level of violence in Western Addition and Bayview Hunter's Point. In response to complaints that the police are not doing enough to address the problem, he asserted, "this is not a police vs. community problem. This is a community vs. community problem." He noted that the root causes of the problem of violence in these communities do not lie with the police, but are social or "societal." In his view, "the situation in Bayview Hunter's Point is primarily about respect and about disrespect, not against police or anyone else." He added that most of the people involved in these violent activities are in fact grown men, not the youth. They are mostly in their early to late twenties, even thirties. He suggested that the problems posed by this class of people are different from those concerning youth of about 13 or 14 years.

He identified the proliferation of guns as one of the major reasons for the increased level of violence, and criticized the liberal attitude towards gun possession. Mr. Krenshaw noted that the problem of violence is cyclic and that there should be a concerted plan of action to fight the problem. This long-term strategy would involve a complete program that includes school education, community awareness training, anti-drug and anti-gang campaigns, and a program to foster self-esteem among youth people. He criticized what he termed the short-term perspective of the society in addressing the problem, in particular the de-funding of effective programs, such as the Midnight Basketball program.

Susan London
Executive-Director, San Francisco Safe

San Francisco Safe is a non-profit organization involved in crime prevention, education, and public safety. The organization runs the Neighborhood Safety Partnership program, funded by the Mayor's Office of Criminal Justice. This

program provides a crime prevention worker for each police district. Ms. London said the Neighborhood watch groups have succeeded in significantly reducing the level of crime in the city.

One of the roles of the organization is to act a liaison between the police and the community. In this regard, Ms. London stated that there is not much trust between the police and segments of the community. Her organization is trying to work with the police, especially those officers that work at the street level, to motivate them to become part of the communities in which they work. She lamented the fact that over the years, informal police interaction with the community, such as police involvement in drug education in neighborhood schools, has largely been abandoned. She stressed the importance of building a trusting relationship between the police and the community. In her view, community policing got off to a bad start in San Francisco and there is a need to devise a model of community policing that will get the police actively involved in the life of the communities they police. She also condemned the lack of communication between the city departments and non-profits engaged in community activities, and between communities and the city departments.

James Head
Executive-Director, National Economic Development and Law Center

Mr. Head began with the suggestion that in attempting to understand the problem of violence in communities in San Francisco, the Commission should focus on the "economic instability in these communities." In his view, there is ample data to support the notion that the more economically stable a community or neighborhood is, the less likely it is to suffer significant violence or violent conditions. He argued that the same principle applies to individuals: the more economically stable they are, the less likely they are to engage in violent or anti-social activities. The most effective strategy for combating violence therefore is the maintenance of economic stability in these communities, coupled with the creation of strong community neighborhood institutions and support systems. In

his view, the Commission would be remiss if it does not seriously look at the causes of economic destabilization in these communities as one of the primary, if not the sole, cause of the continuing and increasing violence. The work of the Law Center indicates that lack of employment opportunities and the lack of stable economic home life significantly contribute to the level of violent activities in these communities. In this regard, he recommended that the Commission explore ways the city and other agencies could affirmatively create more stable economic climate in these communities. In conclusion, he reaffirmed that there is a clear connection between economic betterment in these communities and a decrease in violence, and stated that if this connection is energetically addressed through remedial measures, "we will begin to see the kinds of decrease in violence that we are all looking for."

James E. Hooker
Job Developer, Mayor's Youth Employment Education Program

Mr. Hooker stated that most of the young people involved in violent activities and drug dealing are, like other members of society, struggling with the problems of daily existence: "They want a decent life. They want a decent place to live. They want an opportunity to exist like regular human beings." Most of these young people feel left out in the prosperity of the nation. Some of them consider selling drugs and engaging in other forms of criminal activities as a means of survival. Nonetheless, Mr. Hooker questioned why the police are not even-handed and strident in enforcing anti-narcotics law in some communities: "So you tell me how they can sell dope right in front of the police station on Market Street and in our neighborhoods, but I bet you they can't sell any drugs in Pacific Heights or St. Francis Circle." Mr. Hooker recommended more communication between young people and government agencies, such as the commission. In conclusion, he advocated more accountability from agencies, which are funded by the government as part of the battle against street violence.

Mayor's Youth Focus Groups
March 5, 2001 – City Hall, San Francisco

On March 5, 2001, high school age youth from different high schools in San Francisco were invited to discuss gun violence and strategies for crime prevention. The participants were split into three groups and they came up with a variety of ways in which the city could help prevent neighborhood crime. One of the major areas of agreement among the participants was that the easy availability of guns and environmental variables are major factors in the increasing level of violence in the city. The following is a summary of the recommendations made by the various groups.

Group One

The group emphasized the importance of mentorship as a means of guidance and leadership for youth. The group felt that peer and adult mentorship is particularly crucial to those youth that do not have good role models at home. Participants stressed the usefulness of mentoring by people from the environment of the mentee. Mentors who share similar background and experiences as their mentee can motivate their mentees to rise above the immediate difficulties and limitations of their situation.

Group One participants further stressed the importance of inculcating the value of education in the youth and in improving the educational experience of students. Smaller class sizes, better learning facilities, better training for teachers, and more flexible school system were suggested as a means of improving the educational system. Youth leadership classes were mentioned as means by which the youth could be taught civic lessons on how to be valuable participants in civil society. The value of after-school programs was also highlighted. Participants suggested that after-school programs, such as music, theatre, dance, sports, writing, photography, art, and pottery are all way of

teaching the youth useful skills, and of keeping them actively engaged in valuable activities.

Participants spoke about the importance of job and apprenticeship training that would help provide valuable skills to at-risk youth. This is particularly necessary in view of the evidence that most of the youth that engage in acts of violence lack the requisite skills that would help them find gainful employment in the formal economy. It was suggested that there should be more specialized internships and that youth in training should have the opportunity to shadow people in the jobs they want. The group lamented what they considered the negativity and stereotyping in the news media's reporting of issue of the violence, and the excessive focus on negative events.

Group Two

Group Two stressed the importance of mentorship programs. Participants spoke about the need to provide mentoring not only for the youth but also for young parents. Access to positive authority figures, such as police and counselors, was mentioned as an important means of lessening the distrust between some youth and public officials. Peer and adult counseling, coupled with anger management classes, were suggested as ways of teaching the youth more functional ways of resolving conflicts.

Group Three

Group Three buttressed the importance of education in broadening the thinking of the youth and in equipping them with the skills necessary for participation in adult society. The group argued the need for improving the school system by making school schedules and requirements more flexible, by providing more after-school programs, and by making facilities more affordable. The group highlighted the need for employment development activities. Participants requested more employment opportunities for youth, and spoke

about the importance of exposing kids to honest work environments at an early age. On the issue of crime, some participants expressed the desire for less visible policing of the communities, and for an improvement in police attitude and techniques of policing.

PART FOUR: COMMUNITY MEETINGS

In preparation for the Mayor's Crime Summit the HRC sponsored community meetings in the communities of color affected by the proliferation of violence. The communities involved were Visitacion Valley, Bayview-Hunters Point, Western Addition and the Mission District. The proceedings are summarized below.

Visitacion Valley
February 24, 2001

The community meeting explored the issue of gun violence in the city and suggested ways of reducing the present level of violence. The focus was on law enforcement techniques, improvement in city services, improvement in educational services, and change in media attitude to reporting issues involving communities of color.

With respect to law enforcement, the consensus was that the ready availability of guns to the youth was a major factor in the increasing level of violence in the city. Participants criticized the availability of guns on the streets in the Visitacion Valley Community. They also spoke about ways of improving the policing in their neighborhood. Suggestions included making police stations more accessible in the neighborhood, hiring more bilingual and culturally diverse police officers, providing sensitivity and diversity training to the police, and initiating a system of community policing. Putting more police on the beat was viewed as a way of making the police more accessible to the community and familiarizing the police with the life and culture of the communities in which they work. It was suggested that the accessibility of the police in the neighborhood could be increased by opening a police station at the MUNI site in Visitacion Valley and by providing some police presence in the 7-11 store at Bayshore.

Participants also argued for more presence in the neighborhood by City officials and access to bilingual civil servants. They deplored the lack of government resources in the neighborhood and expressed a desire for cleaner streets and parks and better city planning in conjunction with the community. They also stressed the need for increased access to therapy and mental health services in the neighborhood.

Various participants wanted improvements in the school and education system, such as the provision of more ESL courses and the initiation of Youth Academic Achievement Awards. On fighting crime, some participants expressed the view that there should be more emphasis on prevention programs rather than incarceration, and that there should be increased funding for community initiatives designed to battle crime.

Bayview Hunter's Point
February 27, 2001

The discussion focused on ways of reducing the level of gun violence in the community. Contributors spoke about how crime prevention policies, education, and employment development could be used to reduce incidents of violence in the community.

On crime prevention and law enforcement, participants suggested that the police and Housing Authority should not use public housing as crime containment centers. To this end, the authority should adopt and enforce a one-strike eviction law in public housing and eliminate selective eviction from public housing projects. Some contributors were of the view that the police should be more rigorous in enforcing quality of life laws against loitering so as to retard open-air drug dealing and prostitution in the community. Improved local police responsiveness and accountability were also considered important factors in reducing crime in the community.

Various participants expressed the view that faith based organizations should be used in providing support to needy families. There was some complaint that the level of deductions made from the checks of single fathers might act as a disincentive for some of these men to remain gainfully employment in the formal economy. It was felt that the city should be more proactive in funding and child support services for single fathers.

Education was another major focus of the discussion. Participants stressed the importance of sponsoring community activities that validate youth successes as they progress through the school system. Smaller class sizes for special need students and increased after school programs were also viewed as effective ways of increasing retention rates and improving the overall educational experience of students.

Furthermore, participants advocated increased employment development activities in the affected communities. The city should become more actively involved in creating jobs for youth in these communities. Apprenticeship training and youth mentorship in corporate offices were two of the ways recommended for stimulating youth employment in both blue and white-collar jobs. It was also recommend that the city should reopen, fund and replicate successful vocational programs like the Slug and Safe Heaven programs. In regard to offenders, participants noted that emphasis should be placed more on rehabilitation than punishment. To this end, the state should ensure that incarcerated offenders have access to educational programs that would equip them with the skills necessary to gain entry into the new economy.

In conclusion, there was a call for improved city services and greater accountability on the part of organizations that provide services on behalf of the city or receive funds from the city. Decentralization of city services in the neighborhoods and the provision of one-stop city service shops were also suggested as ways of making the government more accessible to the community.

Western Addition
February 28, 2001

Participants focused on the role of law enforcement, economic development, and community initiatives in battling the escalating problem of violence in the community. In discussing the role of law enforcement, several speakers expressed the need for more community centered policing. It was felt that a system of community policing would make the police more effective in fighting criminal activities in the community and also contribute in reducing the distrust between the police and segments of the community. Community policing would involve more police walking the streets and interacting with the residents. The residents would also play a greater role in ensuring police accountability by attending community police meetings. Sensitivity and diversity training for the police were also suggested as means of helping the police work more effectively with the community. Diversity in the membership of the police force was considered crucial in this regard. Participants also spoke about the need for the police to be more aggressive in arresting and prosecuting "professional criminals" who refuse to use the services available to them for self-improvement. Some contributors wanted to see more exit programs for youth who are leaving the juvenile justice system. Such programs should be geared toward helping offenders to fully reintegrate into the community, without the stigma attached to their status as ex-convicts.

On economic development, participants argued for a strategy of combining educational and employment activities so as to help youth acquire the skills needed to find gainful employment in the new economy. Some participants suggested that the city should initiate an entrepreneurial program that would assist the youth in developing critical skills and prepare them to go into the business community. Additionally, the city should work to cultivate a pool of private and public employers that would hire and sponsor youth from distressed

communities, and assist them in cultivating the networks needed for working in the adult world.

Another issue addressed was the provision of educational and youth services to the affected communities. It was suggested that public schools should offer anger management classes and also teach mediation and reconciliation skills to their students. Small class sizes were recommended for individuals who are at risk of falling through the cracks in the public school system. Many at risk students are intimidated by large class sizes and are inclined to drop out. Smaller class sizes would help encourage them to participate more actively in class activities. Several contributors advocated more after- school programs to keep the youth engaged and to discourage them from loitering around in street corners. Programs like Midnight Basketball were suggested as effective models.

On community development, many participants were of the view that the community and the city should establish criteria for judging the effectiveness of publicly funded community programs. Community based organizations must learn to work together and to maximize outreach and accessibility. Community programs should also be made more accountable and ineffective programs de-funded. Given the role of faith-based organizations in the affected communities, it was argued that these organizations should be encouraged to play a more active role in addressing the issue of violence in the community. Participants also spoke of the importance of improving the condition of subsidized housing projects in the city and ensuring that only genuinely needy people are accepted into such housing.

Additional issues raised included the creation of a public forum for the media and the community to address the issue of media coverage of communities of color. Participants voiced their demands for more counseling services and mental health programs in the affected communities. They also stressed the need for city agencies to better coordinate their resources and

requested the creation of a centralized database of programs available to the communities. Most importantly, they asked that city officials to be more responsive to the questions and concerns of the community.

Mission District
March 2, 2001

Participants at the community focus group highlighted the important role education, the media, and law enforcement agencies could play in curbing the gun violence plaguing the city. Much of the discussion focused on changes in the law enforcement system that would make the system better equipped to address the problem of violence in the community.

Many participants spoke about the necessity of building a better relationship between the community and the police. The distrust between segments of the community and the police was portrayed as one of the main factors militating against full community cooperation with the police in the battle against violence. Suggestions on how to improve the relationship between the two groups include taking policemen out of cars and into the streets, re-establishing the Police Athletic League, stabilizing the tenure of district police captains, and reducing racial and gang profiling by the police. It was also suggested that the re-institution of the Police-Community Relations Unit would go a long way in improving relationship between the police and community members, as it provides a forum for communicative interaction between the two, and allows concerned citizens to publicly express their concerns without allowing them to fester. Another important issue suggested as vital to community cooperation with the police was effective protection of witness of violence, who often become targets for victimization and retaliation. Other suggestions made in regard to law enforcement include making guns less available to youth, and providing positive rehabilitation for both prisoners and ex-prisoners.

Participants also expressed the need for city services and departments to be made more accessible to the community. Of particular concern to many speakers was the difficulty experienced by many non-English speakers in trying to access city services. Greater availability of bilingual city officials and

translators would go a long way in redressing this situation. Additionally, speakers were interested in seeing the city issue a comprehensive catalogue of programs available to the community, and opening one-stop community outreach centers where those in need could go to obtain city services.

On education, speakers argued the need for increased and improved after-school/evening programs for youth, as these would offer them a welcome alternative to loitering around the streets. It was also suggested that schools should teach skills courses, like dispute resolution, anger management, first aid, etc, as a means of equipping the youth with skills the need in contending the problems they face on the streets.

Finally, the meeting addressed the issue of the role of the media in the escalating problem of violence. Many speakers felt that the media has played a negative role in the matter, by frequently concentrating on negative images of youth, and resorting to stereotypes and stock images in their reporting of community issues. It was felt that the media should be more responsive to the problems facing the communities they report, and should be made more accountable for the quality and content of their reporting.

Hearing on the Role of the Media
June 6, 2001

Hunter Cutting
Executive Director, We Interrupt This Message

We Interrupt This Message is a national non-profit media strategy and training center "dedicated to building capacity in grassroots and public interest organizations to conduct traditional media work, as well as to monitor public debate and interrupt media stereotypes." The organization is particularly committed to working with communities of color around issues of bias in the media.

Mr. Cutting framed his testimony by characterizing the media coverage of violence in communities of color as extremely problematic. This has in turn led to problems in the development of public policy to address issues of violence and inhibited efforts to support communities of color. He highlighted several ways in which media reporting of violence in communities of color is problematic.

Media coverage of violence in communities of color is different from the way it covers violence in white communities. According to Mr. Cutting, the media rarely quotes people of color and alleged perpetrators are usually not given any biographical profiles by the media. Where such profiles are given, they are usually negative and rarely touch upon their successes and their role as family people or as workers in the community. In addition, he pointed out that pictures and photographs of alleged perpetrators who are black or Latino are very different from pictures of alleged white perpetrators: the latter are invariably photographed in coats and ties, whereas the former are usually photographed in shackles and in prison clothes.

Mr. Cutting also spoke about the way the media frames issues relating to people of color and indicated that there is a tendency to dehumanize people of color and to trivialize matters relating to them. He gave the example of media

reports arising from an incident where an unarmed African American man was killed by a police officer. According to him, in trying to explain why men (mostly African Americans) were dying in police custody, The San Francisco Chronicle suggested the reason as "Sudden Custody Death Syndrome." He felt that this type of reporting tended to trivialize the problems facing people of color. In contrast, he suggested that the media are often more measured in their reporting of matters relating to the white community. He gave the example of an article that ran in the Los Angles Times about a gang called "The Slick Fifties," some of whose members were tried and found guilty of serious crimes by a jury. In reporting the issue, Mr. Cutting pointed out that the newspaper did not use the word "gang" to describe the white juveniles involved in the case. In contrast, in cases involving African Americans and Latinos the word gang becomes a readily available adjective used by the media to dehumanize the youth involved by painting a one-dimensional portrait of them.

He further argued that media coverage of violence in communities of color is often episodic and decontextualized, with little regard to the larger themes that affect the issue. He gave the examples of reporting on gun violence which rarely focus on the sources of the guns used by those involved in the crime, and which infrequently explore the role of poverty and other social factors that influence the actions of the perpetrators. In most instances, the media gives emphasis to the race of the perpetrator; a tendency that reinforces the wrong impression that race is what is behind the violence in communities of color.

He further suggested that there is perhaps too much emphasis on race in reporting incidents of violence, especially when the alleged perpetrator is a person of color. "When violence is covered in communities of color, race is front and center. When violence is committed in white communities, race is not a part of the picture." He gave the example of school shootings, where the perpetrators are usually white and where the issue is rarely reported in terms of problems within white families that might be leading these young men to commit such

crimes. In contrast, reporting of incidents of violence involving African Americans often focus on problems in African American families that might be contributing to such incidents.

He next spoke about the lack of integration in most newsrooms, particularly in San Francisco. This problem has been much analyzed by the Center for the Integration and Improvement of Journalism at San Francisco State University. He argued that the lack of integration in newsroom is a serious problem in view of the fact that "the whole process of working with the media is often about relationships." Those with access to and established relationships with media contacts are better able to place their stories in the papers and to ensure that their perspectives are properly reflected in news reporting. Because "most newsrooms are white," it is much harder for peoples of color, who are poorly represented in newsrooms, to get stories reported from their perspectives.

Additionally, he spoke about the issue of the sourcing of media reports involving violence in communities of color. He indicated that in most instances the people interviewed are police officers and attorneys; rarely are community advocates and civil rights advocates interviewed so as to make the reporting more balanced in terms of the contending perspectives. The consequence of this type of reporting is that the voice of the community is silenced and outsiders begin to see the community in the light of the picture painted by law enforcement personnel.

Mr. Cutting went on to suggest ways in which the problem of media coverage of violence involving peoples of color could be addressed. He emphasized the importance of helping communities of color to do a better job in getting their voices across to the news media and to challenge the media biases they see. On challenging media bias, he gave the example of a group of youth from the South Bronx in New York that analyzed how the New York Times covers youth violence. Their findings were grim, especially in regard to how the newspaper covered youth of color. They initiated a meeting/dialogue with the

editors of the newspaper where they communicated their findings and made suggestions on how the reporting might be improved. Mr. Cutting felt that this kind of direct intervention by the community is important because it carries a "mandate of moral authority," as the community is a powerful voice which can help illustrate to the media the consequences of dehumanizing and decontextual reporting of incidents involving people of color.

Mr. Cutting was of the view that the communities concerned could work to help journalists do a better job of covering violence in communities of color. This task is currently being undertaken by organizations like the Maynard Institute, and the affected communities could draw from the experience of organizations like Maynard in learning how to relay their messages and stories through the media. He added that the Commission and other government agencies could assist communities of color in their interaction with news media by providing training and technical assistance to these communities because they often lack the resources to effectively work with and challenge biases in the media.

Finally, he emphasized the importance of documenting media bias and holding it up to light for everyone to see. This is a particularly powerful tool because news organizations, as business units, are conscious of their public image and have a self-interest in reforming their coverage when they are shown to be biased or otherwise negative in their reporting of segments of the community.

Dori Maynard
President, Robertson Maynard Institute for Journalism

Ms. Maynard approached the issue from a different framework. She spoke about the "fault lines framework," which was developed by her father, the former owner and publisher of the Oakland tribune. Her father intended the framework as a tool that journalists and community members could use to examine and to reframe the issue of media coverage. It was also intended to provide a vehicle

for people to talk across the difficult issues that face the society with the goal of understanding each others' viewpoints, without necessarily agreeing with them.

This framework is premised on the idea that we as a nation are divided along five fault lines: the fault lines of race, class, gender, generation and geography. These fault lines affect our worldviews, and it is time to admit the differences that flow from the influences of these fault lines and to begin to think about them in a more sophisticated manner. In her view, these fault lines shape our perceptions of news events, each other and ourselves. She gave the example of a clip shown at a conference of Ted Koppel interviewing some white people in Philadelphia on why they did not want black people to move into their neighborhoods, because when black people move in crime skyrockets and property prices plummet. She said she felt there was no context to the presentation and pointed this out to her discussion group. Subsequently, another speaker, a white participant, expressed the view that there was no context to the presentation and that without context the piece made all white people look as if they were racists. She said this illustrated how fault lines affect worldviews because while her issue of lack of context was based on the fact that the presentation did not explore the root causes of the negative perception of black people, the other participant's concern was with the perception of the white people as racists.

She suggested that, similar to the above example, the problem associated with media coverage of violence in communities of color is a problem of fault lines. According to her, it is a problem of perspective, one that is heightened by the fact that the media by virtue of its role in society has earned a right to have its point of view widely propagated. The fault lines she outlined above influence the point of view of journalists. Thus, race, class, geography, gender and geography all play a role in determining how the media cover issues. Consequently, in analyzing the nature of media coverage of communities of color, and solutions to

the problems that arise from it, one has to take into account how the fault lines influence the perspectives of those in the news media.

The fault line framework puts in sharp relief the diversity of views in society and the need for journalists to safeguard their credibility by ensuring accuracy in their reporting and by giving room for the articulation of the diversity of voices in the community. She suggested that, given the ethnic diversity of the community and the proliferation in the means of accessing information, it is in the interest of the news media to ensure that they do not marginalize certain voices in the community. Otherwise those who feel marginalized will migrate to other news sources, thereby depriving the traditional news media of circulation and advertising.

She concluded by making suggestions on how the problem of media coverage of minority communities could be addressed. First, she advocated a "content audit" of the news media, as this would give both the communities and the news media empirical and scientific proof of biases in news reporting. Members of some communities often complain about what they characterize as usually negative coverage of their communities, whereas the news organizations would typically try to refute the accusations by pointing to one or two positive news items involving the concerned community. Ms Maynard declared that properly conducted content audits would yield scientific evidence of bias or lack of it, and would provide communities and news agencies with a basis for conversation. Secondly, she suggested that in order to change the nature of media coverage it is vital to provide both journalists and community members with a way of talking across the fault line. Finally, she recommended giving community members some fault line training so that they could have another vehicle with which to communicate with journalists.

PART FIVE: CONCLUSION

The results of this report represent a significant expression of community desire to deal with the problem of violence. Communities of color and youth in San Francisco clearly recognize that violence is not merely a law enforcement issue; it must be dealt with in a comprehensive, programmatic fashion. A strong, healthy community will be free from the ravages of violence.

Without a commitment to enacting the community will, the spate of violence that gave rise to this report will occur again. The only thing worse than a life lost is a life lost that could have been saved. Communities of color and the youth have told us what it will take to prevent another person from falling to violence. The care put into this report by the affected communities should serve as inspiration. Community resolve, coupled with political determination, will overcome violence.

APPENDIX A: HISTORICAL PERPECTIVE

The public hearings, forums and summits hosted by the Human Rights Commission addressed the issues emanating from violence in communities of color throughout San Francisco and identified plausible solutions. This section of this report affirms that past and present concerns related to violence in communities of color are not new phenomena. One only needs to review this and other research to understand that violence continues to confront communities of color, and even when solutions are presented to address the problems, little is done in a comprehensive manner with the necessary safe guards to assure success. Thus the system continues to spend money and failed attempts continue although this failure indirectly negatively affects the at-large community. It is said that those who do not know history are doomed to repeat it. Before rushing to judgment regarding the causes of violence in communities of color, it is important to give a historical perspective of violence the United States in general, and San Francisco in particular.

James Lance Taylor, PHD
University of San Francisco
Department of Politics

I. Introduction

Tragically, violence--particularly gun-related violence--has become commonplace in most poorer and working-class African-American and Hispanic/Latino communities across the United States over the past two decades; communities of color in the city of San Francisco have not been spared. The characteristics of this violence are so varied and complex that they have contributed to a vast and often conflicted literature on the subject. Some research points to individual behavioral factors while competing theories locate

the problem of violence in terms of systematic or institutionalized racial and economic discrimination inherent in the structures of society and the economy.

Since the early 1980s the death tolls of young African Americans and Hispanic/Latinos have been so high that they have fostered a veritable "death industry" which includes life insurance agencies, federal medical "war zone" bullet impact studies,[1] mortuary-related services, and a morbid genre of "rap" "hip-hop" music that thrives in these communities. The causes of violence in communities of color are more complex than its many depressing effects; they range from intrapsychic motivations to sociological factors related to the pursuit or maintenance of class, race, and gender or market hierarchies. Several observers point to the proliferation of illicit drug markets in urban settings such as New York City, Los Angeles, Chicago, Miami, Detroit, Philadelphia, Oakland, and San Francisco that import from foreign soil.[2] In these and many other cities, census tracts that have predominate or significant African American and/or Hispanic/Latino populations have become synonymous with inner-city "bad neighborhoods," the chief producers of "America's criminal classes."[3] One study linked the stress of violence in poor inner-city neighborhoods to increases in heart attacks among African American men.[4] While this study is interested in surveying the effects of violence on communities of color in general, its emphasis is primarily on violence in the San Francisco's African American communities. This is so mainly because the most immediate crisis of violence has been located in the city's predominately Black communities. Violence in African American communities has had the tripartite effect of exacerbating tenuous community ties, trivializing homicide and death, and buttressing the overrepresentation of men of color in prisons across the state of California and the nation.

This essay attempts to provide some history and context to the issue of urban violence in communities of color generally and the city of San Francisco more specifically using the available official documents, newspaper reports, advocacy reports, public testimony, agency reports, statistical data, and extant

literature on the subject as they inform the Human Rights Commission City and County of San Francisco's (HRC) interest and jurisdiction in the matter. This analysis begins with an overview of the major factors that contribute to urban violence in communities of color nationally. Theories concerning the causes and effects of violence are followed by a comparative analysis of statistical data on Part I violent crimes[5] between the city of San Francisco, and major cities nationally, state, and county-wide, and among its specific communities.

An important challenge emanating from these data is understanding the total effect that violence has, not only in its immediate environs, but also on every community in the city of San Francisco. Similar to cities across the nation, the problems that affect communities of color in San Francisco are often quarantined and presented in mass media and law enforcement circles as the pathologies of Blacks and Hispanic/Latinos that are best remedied through retributive laws and law enforcement practices. Violence creates distrust and fear within communities and it is also integral to breaches between communities. The unique topographical outline and steady demographic alterations which have grayed formerly segregated sections of the city undermine the isolationism that characterizes suburbia and affluent sections of cities elsewhere, iterating the point that the problems of one section of San Francisco are the problems of each section. The poor and working- class Western Addition, for instance, borders the affluence of Pacific Heights, and like Bayview Hunter's Point and Oceanside, Merced and Ingleside (OMI), migration patterns and housing scarcity have made it increasingly less racially homogenous over the past decade.[6]

II. Factors Contributing to Violence in American Cities

A. Violence and Intelligence

Conservative and progressive commentators alike have sought to explain violence in urban settings as the manifestation of "cultural defects" or "psychological longings" in communities of color. A major proponent of the

former is Harvard University's Charles Murray, co-author of the racially dismissive *Bell Curve* (1994) and author of *Losing Ground* (1984) who advocated a policy disposition that encouraged the recision of welfare-state programs.[7] The authors argued that the poor performance of African Americans relative to Asians and Whites on Intelligence Quota (IQ) tests precluded corporate social remedies designed to aid and abet racial populations vis-a-vis affirmative action or job and skills training programs. These have been tried and produced little in the way of progress for this population; only criminality and dependency have followed. They argue, "success and failure in the American economy, and all that goes with it, are increasingly a matter of genes that people inherit," and "programs to expand opportunities for the disadvantaged are not going to make much difference."[8] While claiming scientific (and thus racial) "neutrality", the authors find that African Americans are more or less equivalent to Australia's "doomed race" Aborigine.[9] The major shortcomings in *The Bell Curve* thesis are captured in Steven Fraser's *The Bell Curve Wars: Race, Intelligence, and the Future of America* (1995). Among the shortcomings are its empirically suspect and undue faith in measuring cognitive intelligence as a predictor of individual or aggregate achievement. Contrary research has demonstrated that there are multiple intelligences which are traceable to achievement.[10] Like other conservative behaviorists, the authors neglect the question of environment, material resources, and the extent to which systemic poverty and institutional deficiencies vis-a-vis failing urban educational structures affect performance and degrade quality of life in general. For example, the San Francisco Unified School District (SFUSD), Los Angeles Unified School District (LAUSD), and Oakland Unified School District (OUSD) (as well as large school districts nationally), have been found lacking in test performances, dropout rates, and graduation rates of students of color. African American students in SFUSD who composed sixteen percent (16%) of the district's 60,000 students in the 1999-2000 school year, represented twenty-six percent (26%) of total dropouts.[11] Similar to the "scientific

racists" of the 18th and 19th centuries, Murray collateralizes what the U.S. Supreme Court found, as fact, in the harm done to the individual and aggregate Black psyches when they experience or develop, for instance, consciousness of the nation's brutal racial history.[12] The extent or nature in which the nation's racial past shapes the contemporary conditions of subaltern groups continues to inform debates in the social science literature.[13]

The Bell Curve's attempt to link criminal behavior to low levels of intelligence is misleading and counterintuitive according to political scientist Andrew Hacker (1995). Poor (usually unemployable) people commit street-level drug and property crimes that are most accessible to their social class which in turn leads to their social stigma as criminally inclined; embezzlement for example, is rarely a crime of poor or indigent individuals. At best linkages can be made between years of schooling and criminality. Individuals with less education, measured by years of schooling, tend to be more inclined toward criminal behavior than those with higher levels of education. But intelligence and education are not synonymous. To suggest that the less "intelligent" commit more crimes than the more intelligent trivializes "white-collar" crimes that actually dwarf the occurrence and economic costs of all street level crimes combined.[14] Though urban "drive-by" shootings are clearly more threatening than "hostile corporate takeovers," they operate on the same parasitic values. Thus low intelligence alone does not explain criminal behavior whether violent or not.

B. Violence in African American Communities: A Legacy of Civil Rights?

Stephan and Abigail Thernstrom (1997) compile impressive data that assess the problem of violence in African American communities. With poll after poll these researchers present criminal violence as "a problem that is inextricably bound up with race [it is significant that they do not say racism]. Disproportionately, blacks are the perpetrators and victims. Nothing has been more harmful to the black community, and nothing has done more to poison race

relations, than the explosion of black violent crime since the 1960s," (281). They conclude, "if the African American crime rate suddenly dropped to the current level of the white crime rate, we would eliminate a major force that is driving blacks and whites apart and is destroying the fabric of black urban life," (285). It is clear that the nature of the violence itself has contributed significantly to communal disintegration among Black Americans and probably between Blacks and others. Intraracial violence is a by-product of residential proximity, however. Seldom are Black Americans the victims of *interclass crime*. Poor Blacks are the victims of poor Black criminality in poor Black neighborhoods. For example, in the city of San Francisco, fifty percent (50%) of perpetrators of firearm related violence and forty-eight (48%) of victims shared the same zip codes in 1999.[15]

Perhaps the best contribution of the Thernstroms' research is its demonstration that Black Americans are the primary victims of violent crime and live in fear; they view crime as a more serious problem than do even Whites.[16] But the Thernstroms' research highlights Black crime victimization in a manner that is common in academic and law enforcement circles; that is, with a view of reinforcing Black criminality as a policy staple and forgone conclusion. A major oversight in their research is not the assumption that Black crime wedges contemporary interracial relations, but that interracial relations were soured *by* Black crime; as if the reduction of overt racial animus in national attitudinal data among Whites--in which the authors express great faith--indicated the presence of a racial harmony that preceded increases in Black criminality. They suggest that urban blight is the cause of corporate non-investment in inner-city communities and redlining practices, not an effect. The authors note, "where there's violent crime, there's also disorder--vandalism, graffiti, litter, stripped and abandoned cars, boarded-up buildings, public drinking, the sale and use of drugs, loitering youths, prostitution and panhandling. The civic order breaks down on several fronts at once. And that breakdown leaves little in a community untouched. The impact is evident in the absence of stores, jobs, well functioning

of schools, and middle-class residents in many predominately black sections of our cities," (281). They add, "crime is *the* urban problem," (emphasis in original) (283). The Thernstroms' valuation of the impact of crime in Black communities does not move us any closer to an understanding of the direction of the problem. How does "litter," " boarded-up buildings," or "panhandling," result in violence in "predominately black sections of *our* cities"? Are we to believe that poor communities had been devoid of these elements only since the advent of 1980s urban violence? Did Black ghettos and Hispanic/Latino *Barrios* not have poverty prior to the 1980's? Moreover, the Thernstroms offer no statistical data that show whether crime *preceded* urban blight, whether neglect by city managers gave way to blight, or whether they were concomitant. Beyond anecdote we are offered no proof that crime is *causally the* urban problem; it is certainly *an* urban problem that cannot be isolated from structural alterations, market relocations, and *laissez- faire* policy dispositions of city governments toward poor communities.

The Thernstroms join the ranks of journalistic and academic reactionaries--Black and White--who blame a reified "underclass," or "ghetto subculture," which is devoid of nuclear family values, a mainstream work ethic, and weakened by educational/academic laxity. Political scientist Adolph Reed, Jr., (1999) argues that constructions such as these "all zero on inner-city blacks and Hispanics; all focus on behavior, values, and 'culture'; and all in fact converge on an overlapping list of behavioral indicators." This inevitably leaves us in a tautological quagmire: poor people of color are violent because they are pathological and pathological because they are violent (184). Reed concludes, "in the end, underclass assumptions serve to take the focus away from (costly) demands for responsible government policies, blaming poor people, not societal choices, for another pat phrase, "persistent poverty," (179).

C. "Hip-Hop": A Culture of Violence?

While the Thernstroms do not explicitly attribute blame to the Civil Rights Movement, their contention that "crime on a scale unknown to previous generations is a continuing legacy of the 1960s," (263) more than insinuates that Black crime is traceable to the Civil Rights epoch. In all of their coverage of race and crime and the exponential increase in violent crimes since the 1960s, the authors completely neglect a thoroughgoing discussion of the convergence of "law and order" appeals initiated during the same period. The Thernstrom's also fail to note that during the 1970s crime in general leveled off and serious violent crime rates for the United States at the time of their writing was sixteen percent (16%) below its mid-1970s peak.[17]

Accompanying the "law and order" sentiments of the late 1960s and 1970s was the largely unconstitutional usurpation of power that typified and eventually brought scandalous disgrace to the J. Edgar Hoover FBI and second Nixon administration. Through the coordination of the Counter Intelligence Program (COINTELPRO) the state-sponsored reactionary movement that opposed the Civil Rights Movement declared and carried out nothing short of civil war against its more militant children. Young activists such as Stokely Carmichael, Angela Davis, Huey P. Newton, Assata Shakur, Fred Hampton, Eldridge Cleaver, and Geronimo Pratt were labeled "Key Black Extremists" (or KBEs) and sentenced to unprecedented and exceedingly harsh prison terms for their *political activities.*[18]

A major casualty of the more militant (and occasionally violent) Black Power student movement that exported from the Bay Area cities of Oakland and San Francisco was the White-liberal and Black coalition that drove the earlier phase of the movement. Civil unrest in major cities across the country during the mid to late 1960's discouraged White-liberal involvement and led to a racial perfidy that has been confirmed in their identification with ranks of contemporary "neo-liberals" and "neo-conservatives," who tend to be the harshest critics of Black American policy preferences (vis-à-vis David Horowitz and Nathan Glazer).

"Black Power" was a rallying cry for reactionary forces in the political and military establishment as much as it was for nationalists, revolutionaries, and Black activists. Whether the incidence of violence among Black American youth is an extension of this rebellion or a reflection of defeatist hopelessness is worth some consideration. The leap from anti-White or anti-establishment urban "riots" to "Black-on-Black" drive-by shootings in those same urban locations is too often underestimated.

Rod Bush (2000) has noted, "once the radical wing of the Black Power movement had been militarily defeated, and the moderate and conservative sections safely co-opted, the question remained of what to do about the massive lower stratum of the Black population, which had not benefited from the civil rights revolution and whose militancy the radicals attempted to articulate," (13). This "massive lower stratum," which expanded more extensively and rapidly than the Black middle class stratum in the 1990s, engages in behavior that makes it susceptible to mainstream disdain. The poverty of the lower stratum is attributed, not to systemic or institutional factors, but to culture deficits. Bush adds, " most of the young revolutionary-minded people of today are dramatically impacted by cultural practices. In fact what is most significant about this generation of young Blacks is precisely the extent to which their cultural practices and preferences are *overtly* oppositional, and pose a direct challenge to the system of racial and social subordination that Black people have suffered in the United States," (37). Citing the research of Ray Franklin's *Shadows of Race and Class* (1991), Bush concludes that despite the popular conceptions of crime, disorder, and underclass "tangles of pathology," most researchers "totally ignore the political economy of crime. Moreover, sociological treatments tend to greatly minimize the extent to which so-called deviants are actually willful actors who are involved in their own personal rebellion. This should not be underestimated because there is the appearance of individualism. This rebellion reflects the values and actions of an entire social stratum" (43). Black life "in the inner cities has led to

the widespread adoption of a culture of opposition among Black youth as a means of dealing with the white supremacist beliefs that daily attack Black intelligence, Black ability, Black beauty, and Black character in subtle and not so subtle ways; and as a means of dealing with the harshness of street life (in part a by-product of the drug economy and in part a by-product of the pervasive powerlessness of the inner-city poor)" (45).

While Bush's analysis tends toward romanticism, it does raise a very plausible description of a Black "double consciousness" that balances the realities of ghetto-life with a reflexive retort to majority cultural norms. Here a word about "hip-hop" cultural might be informative. Most evident in the cultural expressions of urban youth is a preoccupation with anti-establishment rhetoric that was clearly borne of the ghettos of New York City before it was exported to urban centers nationally. The "rap" music component of hip-hop culture has gone through several evolutions since its introduction in the middle 1970s. At its outset, rap music was characteristically devoid of overt political messages. The likes of New York's Kurtis Blow and the "Sugar Hill Gang" presented renditions that focused mostly on the pleasures of ghetto existence prior to the advent of "crack" cocaine in popular songs such as "Christmas Rap", "These Are the Breaks" and "Rapper's Delight". Not unlike Marvin Gaye's classic "What's Goin' On," "Flying High," "Inner City Blues," and "The Ghetto," upon the advent of crack cocaine New York's "Grandmaster Flash and the Furious Five Emcees" described the harsh conditions of urban living in renditions such as "New York, New York" and "White Lines," directly referencing the effects of drugs in American cities. As the mid-1980s ended and crack cocaine had taken full effect in mainly Black communities, a litany of politically charged "positive" or "conscious" rap music (vis-à-vis Public Enemy and Boogie Down Production's KRS-1) urged Black Americans to "Fight the Power" and avoid "Self-destruction". Motion pictures by African American filmmakers Mario and Melvin Van Peebles (*New Jack City, Panther*), Spike Lee

(*Jungle Fever*) and John Singleton's (*Boyz in the Hood*) chronicled the same development.

When the venue of rap expanded westward to California cities such as Compton, Oakland, Richmond and Los Angeles the tenor of the genre became clearly confrontational as groups such as "Bitches with Attitudes" (BWA), and "Niggas With Attitude" (NWA) took center stage. Popular songs such as "187" (the California Penal Code for homicide), and "F*&^ the Police," "100 Miles and Runnin'," and "Niggas with Attitude," reflected the nadir of the drug epidemic as West Coast "gangs" (e.g., "Crips" and "Bloods") and the attendant violence epitomized the plight of ghetto bound Americans. The 1990s reflected more of the same with the addition of prison-inspired "urban wear" baggy clothes, academic failure, the ubiquity of drugs and material self-aggrandizement, intimidating Pit Bull Terrier and Rottweiller dogs, and misogynous lyrics and television videos. When West Coast and East Coast rap icons Tupac Shakur and Christopher "Biggie Smalls/Notorious B.I.G. Wallace were murdered during the middle 1990s in "drive-by" shootings they joined the garrisons of young Black and Hispanic/Latino men who succumbed to the same--mostly at the hands of other Black and Hispanic/Latino men.

The routinization of violence among poor African Americans prompted then president of the United States Bill Clinton to declare that "Black on Black crime" should have been the Civil Rights issue of the 1990s decade.[19] Homicide and death were major themes in the 1990s version of rap music. Both empirical and anecdotal accounts indicate that many, if not most, young African American men and youth expressed doubt at the prospect of reaching twenty-five years of age.[20] This is not to suggest that rap music can be regarded as *the* culprit behind urban violence. An unsettled question concerns the direction of the problem of violence in entertainment renditions akin to the "chicken versus egg" debate. Did rap music prompt or contribute to an escalation of violence among African Americans during this period or did it simply voice extant conditions of poor urban

bound Black Americans? It is most plausible that both are true. The major consumers of rap music since the mid-1990s have been after all White youth who, while fascinated by "ghetto thug life" have not yielded noticeable increases in violence of the sort in question.

Bush's study directly challenges Harvard University professor Cornel West's *Race Matters* (1993) which characterized the condition of poor communities of color as one of "nihilism" or "clinical depression" in the aggregate. Both liberals who attribute the problems of inner-city communities to structural deficiencies and conservatives who attribute them to the behavior of individuals are viewed as myopic. According to West, the Black communities of the nation have been overwhelmed by a sense of "soullessness" and "lovelessness" that leads to homicidal and fratricidal conduct.[21] Recent government and academic studies indeed confirm that communities of color are "overrepresented among those most vulnerable and in need of mental health treatment, including the poor, the homeless, the institutionalized, the incarcerated and the survivors of traumatic experiences." [22] Harvard University professor Alvin Poussaint and researcher Amy Alexander's *Lay My Burden Down*: *Suicide and the Mental Health Crisis Among African Americans* (2000) also points to the 114 percent increase in incidence of young Black male suicide between 1980 and 1995. The authors contend that there are psychological linkages between Black male suicide, homicide, and fratricide. Thus West's analysis points to the psychological dimensions of Black male homicide. The difficulty with West's perspective is found not in its consideration of the social marginality that impairs racially homogenous communities toward violence, but in its assumption of a monolithic Black community.[23]

Even in the most abject ghetto dwellings in the nation, there is a considerable diversity of perspective that is the stuff of "shop talk" at local parlors (for men and women), sports bars, coffee shops, churches, and fraternity houses. Political debates concerning community leadership traditions vis-a-vis

Martin Luther King, Jr. versus Malcolm X, Jesse Jackson versus Louis Farrakhan, Christianity versus Islam, integrationism versus nationalism, liberalism versus conservatism, and political advocacy versus economic empowerment signal the varied coping alternatives that range from illicit activity to religiosity and artistic expression. Not only do individuals within Black communities span entire social, political, and economic spectrums, but most--across all categories--do not engage in nihilistic or anomic conduct or yield any more markers of "depression" than do individuals from rural, suburban, or affluent White communities where divorce rates, illicit drug sales and usage, and domestic violence are highest.

D. From Crack House to Jail House

The U.S. prison population, which has been disproportionately Black since the declaration of the "War on Drugs" in light of the introduction of crack cocaine in poor Black communities, more than doubled from 750,000 in 1985 to 2 million in the year 2000. Non-violent property crime and drug sales and consumption--not violence emanating from "gang" drug rivalries--however, were mainly responsible for the incarceration increases.[24] During 1995 alone 150 new U.S. prisons were built and filled to capacity; young Black men would make up the largest cohort in this increase. That same year Black male offenders accounted for nearly two thirds of all prison admissions (64.1%), and two thirds of the total year end prison population (65.3%). The largest jail populations were in Los Angeles (21,000 inmates) and New York City (18,000), two cities that figured prominently in the racial politics of the 1990s.

The proliferation of illicit drug markets in urban settings--which import from foreign soil--is clearly the most plausible explanation for the periodic increases in the murder rate among young African American men and the general deterioration of poor and working-class Black communities that we witnessed since the early 1980s. At the very least, the proliferation of drugs raises national

security questions vis-à-vis the international drug trade. Nationally, the FBI's annual Uniform Crime Reports show the period between 1991 and 1994 as the apex of the crack cocaine market turf wars that drove the murder rate per 100,000 from 6.4 in 1980 to 14.2 in 1994. During this period, the average murder rates of San Francisco--like in most cities nationally--were highest. Between 1985 to 1991, annual rates of homicide for all males ages 15 to 19 years increased 154 percent. For African American male youths, the homicide rate reached eight times that of White male youths. If one lived in the inner city and was young--particularly Black and young--the chance of being the victim of a violent crime increased.[25] Many young men consequently armed themselves for protection, retaliation, or anticipated violence. Serious violent crimes reported to police, however, dropped during the same period, bottoming at 4.7 youths per 100,000.[26] Referrals to juvenile court rose between 1993 and 1997 (from 1.4 million cases to 1.76 million cases) during the overall decline in violent crimes.[27]

Media reporting and sensationalizing of the crack drug crisis in cities has been the subject of important studies.[28] Media framing of the "epidemic" use and related violence among African Americans was captured by a federal judge in *U.S. v. Clary* (1994):

> Despite statistical data that whites were prevalent among crack users, rare was the interview with a young black person who had avoided drugs and the drug culture, and even rarer was any media association with whites and crack. Images of young black men daily saturated the screens of our televisions. These distorted images branded onto the public mind and the minds of legislators that young black men were solely responsible for the drug crisis in America. The media created a stereotype of a crack dealer as a young black male, unemployed, gang affiliated, gun toting, and a menace to society.... The broad brush of uninformed public opinion paints them all as the same. These stereotypical images

> undoubtedly served as the touchstone that influenced racial perception held by legislators and the public as related to the 'crack epidemic.' The fear of increased crime as a result of crack cocaine fed white society's fear of the black male as a crack user and the source of social disruption.... Practically every newspaper account featured a black male either using crack, selling crack, involved in police contact due to crack, or behind bars because of crack."[29]

One recent report found that the term "young black males" has become synonymous with "criminal" in American media coverage of crime.[30] That same report found that while young people make up less than fifteen percent (15%) of all violent crime arrests, seventy percent (70%) of news coverage centered on juvenile crime. And while homicide arrests declined nearly thirty-three percent (33%) during the period 1990 through 1998, media reporting of homicide increased nearly five hundred percent over the decade. The various misrepresentations of African Americans as criminal perpetrators (not victims) in media coverage contributed significantly to the criminalization of African American men etched in the consciousness of the nation.

If poverty and social and political marginality are inherently linked to violence in communities of color, then it should be expected that *all or at a minimum, most* of the 11 million Black Americans who struggle below the poverty index in the United States engage in violence. It should also be expected that "drive-bys" and other forms of violence would be high among other racially marginalized groups such as Native Americans, Puerto Ricans, or Lesbian Gay Transgender and Bi-sexual communities. The histories of Irish, Jewish, and Italian immigrants in New York, Atlantic City, New Jersey, Chicago, Philadelphia, Boston, and Las Vegas reflect much of the same intragroup animus that comported with the desire for illicit market dominance. The violent and parasitic

exploits of organized crime figures like Al Capone, Myer Lanski, Lucky Luciano, and "Buggsy" Segal, for instance, have become the stuff of lore in mainstream culture. This intragroup animus may emanate from the manner in which individuals interpret and process majority societal disdain; a phenomenon which W.E. B. Du Bois called "double consciousness."[31] Interpersonal violence among Black Americans trumps all other forms of intragroup violence particularly because Black Americans, despite nearly four centuries on the American continent, have been less assimilable than Irish, Italian, Jewish, or even Slavic immigrant groups. Each of these groups (and others), experienced similar ghettoization and the attendant fraternal violence that Black Americans have, but White ethnics enjoyed the advantage of phenotypic assimilability and outward movement from ghettoes to suburban enclaves. For instance, Harlem, New York, Compton, California, as well as San Francisco's Western Addition and Bayview Hunter's Point which had been home to various ethnic groups prior to both Black migrations and 1960s political rebellions, today are land-locks for Black Americans.

The availability of guns--especially handguns--has expedited the violence that emanates from the illicit drug markets across the country in many African American and Hispanic/Latino communities. Gun violence in 1998 was cited as the number one preventable cause of death for age groups between 0 and 24 years. More than 2/3^{rds} of the 2,171 murders that year which occurred statewide in California were the result of guns; nearly ninety percent (90%) of those were handguns.[32] In both Los Angeles and San Francisco Counties, for instance, death by firearm was the leading cause of death with Hispanic/Latino and African Americans disproportionately the perpetrators and victims. Nationally, Black Americans were shooting victims in fifty-four percent (54%) (5,779) of the 10,711 gun related homicides in 1997; in comparison, Whites represented forty-two percent (42.6%) or 4,565.[33] Just two years later, the national office of the NAACP threatened a federal product liability suit for an injunction against over 100 gun

manufacturers, distributors, and importers, in the interest of reducing the incidence of gun violence in communities of color.[34] The Department of Treasury's Alcohol, Tobacco, and Firearms (ATF) bureau reports that in 1999 roughly eighty-six percent (86%) of guns used in crimes by youth and young adults were obtained illegally from intermediaries of licensed gun shop owners. Several cities and counties including Chicago, Detroit, Boston, New Orleans, Bridgeport, Connecticut, Miami-Dade (county). California cities have not followed suit.

No doubt, drugs, gun violence, and incarceration have had a catastrophic effect on poor communities and communities of color throughout the United States. The numbers which highlight the deleterious impact of these vices on communities of color in terms of death, neighborhood dissolution, the loss of hope among youth, and incarceration are no longer shocking to many Americans. In large part, it has become routine and commonplace in these communities to have associates, friends, or family members who have been effected. Jail and prison are to many urban youth of color today what the Cub Scouts and Boy Scouts of America are to suburban youth--an organized right of passage. Reports have variously shown the ratio of young Black men who are penal wards of the state's jails, prisons, probation, home detention, and parole systems to be higher than any other population in the country; roughly twenty five to thirty percent (25-30%).

Black people across the nation are now afraid of their brothers, sons, fathers, uncles, cousins; indeed Black people are now more afraid of Black men than is the society that distorted their images through "pop" culture, welfare policies, joblessness, media, and failed educational systems. Black institutions such as faith communities, fraternal and sororal organizations, and mentoring programs have sought to stem the tide.

Research has pointed to the destabilizing effects of the "prison industrial complex" on communities of color, particularly as the criminal justice system

shifted its treatment goals from rehabilitation to retribution in the 1977 Penal Code.[35] General findings include the dissolution of family structures[36], the distortion of gender/parenting roles, high rates of unemployable individuals, the importation of prison subcultures such as gangs and un-rehabilitated individuals in neighborhoods, and stigmatization that has fueled the construction of more prisons that in turn disproportionately house African American and Hispanic/Latino individuals. This body of research suggests that racial discrimination is at the center of the criminal justice system from selective drug enforcement practices in communities of color (though Blacks only consume 14% of drugs in the United States), to detention, prosecution, sentencing, and parole board release and revocations.

TABLE 1

Number of Sentenced Prisoners Under State or Federal Jurisdiction by Gender, Race, and Hispanic Origin, and Age, 1999

Age	Number of Sentenced Prisoners per 100,000 Residents					
	Males			Females		
	White	Black	Hisp/Lati	White	Black	Hisp/Lati
Total	417	3408	1335	27	212	87
18-19	280	2627	1197	18	85	29
20-24	832	7362	2824	44	227	127
25-29	990	9392	3126	66	492	215
30-34	1106	8406	2927	96	731	248
35-39	896	7316	2315	74	587	214
40-44	652	4947	2266	39	347	131
45-54	411	2761	1265	22	153	97
55+	106	534	403	4	21	11

Source: Allen J. Beck, *Prisoners in 1999* (Washington, United States Department of Justice, Bureau of Justice Statistics, August 2000), Table 13.

The reality that a majority of Black men--who constitute less than six percent (6%) of the nation's population--are likely to fuel a potential population of 7 million imprisoned Americans[37] suggests too little, too late; the die is cast and it is young, Black and imprisoned. In the state of California for instance, voters passed a "juvenile justice" anti-crime initiative (Proposition 21) in 1999 that reflected the excesses of media reporting on violent crime, youth, and African American men. And though suburban and rural high school and youth related incidence of violence among Whites gained national attention, it has been disproportionately young men of color who have been most adversely affected by public and political fallout over the reified youth "crime wave."

As illustrated in Table 1, being Black, younger and male increased the likelihood of imprisonment in 1999 when compared to all other major groups. But the commission of violence and consequent increases in incarceration should not be misunderstood as the by-product of "youth violence." Among Whites males for instance, the 40-44 age cohort more than doubled the incarceration rates of 18-19 year olds. Similarly, among Black males, the incarceration rate for the age cohort 45-54 years of age was higher than it was for the 18-19 age cohort. Both Black males and females experienced higher imprisonment per 100,000 residents than all relative categories, while White men and women experienced the lowest.

E. Crime, Violence, and Employment

Whether or not higher incarceration rates comport with a decline in crime is unclear and unlikely. Rosenblatt (1996) reports that "those states that have the highest budget for law enforcement--including courts, prisons, probation, and parole--also have the highest levels of crime. If there is any empirically

established relationship between crime and punishment, it is that prisons foster crime." For example, in 1994, California ($160,244,802,000 to 6,173.8), New York ($123,946,002,000 to 5,872.4) and Texas ($64,926, 359,000 to 5,070.6) had the nation's highest criminal justice system budget expenditures and crime rates.[38] A better explanation can be found in economic conditions and employment rates. Rosenblatt shows, for instance, that both violent and property crime rates increase exponentially with the local unemployment rates. Between 1991 and 1999 the United States experienced the longest year to year decline in serious crime. Many experts attribute the unprecedented decline to good economic times "because it has meant jobs and income for people who might otherwise be out on the streets and in trouble." Of the four major regions in the country, the western United States experienced the sharpest regional decline in serious crimes with a ten percent (10%) drop. While individuals who typically commit violent or other serious crimes are not likely to have made up the West's booming information technology economy, it no doubt had residual effects that might help explain why crime declines there outpaced all other regions in the nation.

If incarceration rates reflect criminality then it was young adults--in their marriageable years--not "youth" that were the most inclined toward drug-related and violent crime perpetration in 1999; among all men, the age categories 20-39 were the highest in the nation. Indeed the Los Angeles civil disturbances exposed the undercurrent of high unemployment and social distance that was extant among those who were the primary participants-young men of color. Cornel West's (1993) characterization of the 1992 upheaval allows for a closer linkage between urban violence and employment. He concludes, "what happened in Los Angeles [and across the nation] in April of 1992 was neither a race riot nor a class rebellion. Rather, this monumental upheaval was a multiracial, trans-class, and largely male display of justified social rage.... What we witnessed in Los Angeles was the consequence of a lethal linkage of

economic decline, cultural decay, and political lethargy in American life. Race was the visible catalyst, not the underlying cause," (1). In fact, the largest number of arrests were among Hispanic/Latino males who had not been associated with widespread involvement in civil disturbance (see Table 2).

TABLE 2

Los Angeles Riot/Unrest Arrests/Cases by Race Ethnicity

Race/Ethnicity	Cases/Arrests	Percentage
Latinos	2,852	50%
Blacks	2037	36%
White/Anglos	601	10%
Others	147	4%

Other researchers have paralleled the economic and racial corollary that was exacerbated in the events ranging from the 1991 Rodney King beating and verdicts to the 1992 Los Angeles civil unrest as an explanation for urban violence (Marable 1995; Pohlmann 1998; Walton 1997 [especially chapter six]; McClain and Stewart 1998).[39] While the unrest/riot response was in West's view mostly male-specific justifiable "social rage," Pohlmann shows more specifically a pattern of increased police brutality directed mostly at young Hispanic/Latino and Black men that neither began nor ended with the Rodney King videotaped beating.[40] Columbia University professor Manning Marable argues that the "Battle of Los Angeles" highlighted the general condition of despair in urban America that followed an increased class and racial stratification:

> ....By contrast, since the late 1970s general conditions for most of the African-American community have become worse.... Standards in health care for millions within the African-American community have fallen, with the black male life expectancy declining to only 64.7 years in 1993. By 1990 about 12 percent of

> all Black families now live below the federal government's poverty level, and 46 percent of all black families are headed by single women.... By 1992 23 percent of all young African-American men between the ages of twenty and twenty-nine were in prison, on probation, parole, or awaiting trial.... (1995: 204).

Andrew Sum and Neal Fogg (1990)[41] chronicle the real inflation-adjusted annual earnings and employment of American men (ages 20-64 years old) between 1973 and 1987. They conclude that while young men (20-29 years old) from *all* major sub-groups suffered declines in their annual earnings due to a lack of education and manufacturing-based job markets during this period, Black men have fared the worst. Even the rapid market and employment expansion that occurred during the "new American economy" between1983 and 1987 could not offset these earning deficiencies. The intensification of economic hardship has been particularly devastating for the promotion of family life and cohesion for these young men.

G. How Black Ghettos were Born

One often neglected aspect of poor and working-class "inner-city" Black communities and ghettos across the nation is that they were fostered and even created by federal, state, and city-level policymakers in deference to White fears as a result of the pre and post WWII Black migrations.[42] The Black ghettos of the United States--which today yield high levels of interpersonal and intraracial violence--developed as part of racist/segregationist "push" and the economic opportunity "pull" to Western, Midwestern, and Northeastern urban centers where they encountered housing schemes and urban planning collusions between city officials and real estate interests. These urban planning schemes had the dupling effect of ghettoizing Black Americans who migrated to these regions on one hand, and inflating suburban markets sought by Whites in flight of them, on the other. For this reason, the 1968 Report of the National Advisory Commission

on Civil Disorders (Kerner Commission Report to President Lyndon Johnson) stated the following:

- *Segregation and poverty have created in the racial ghetto a destructive environment* totally unknown to most white Americans (italics added);
- What white Americans have never fully understood--but what the Negro can never forget--is that *white society is deeply implicated in the [existence of] the ghetto*. White institutions created it, white institutions maintain it, and white society condones it"'(italics added);
- White racism is essentially responsible for the **explosive mixture, which has been accumulating in our cities since the end of World War II**. Among the ingredients of this mixture are:

  "pervasive discrimination and segregation in employment, education and housing, which have resulted in the continuing exclusion of great numbers of Negroes from the benefits of economic progress."

  "Black in-migration and white exodus, which have produced the massive and growing concentration of impoverished Negroes in our major cities, creating a growing crisis of deteriorating facilities and services and unmet needs. "

  "The black ghettos where segregation and poverty converge on the young to destroy opportunity and enforce failure. Crime, drug addiction, dependency on welfare, and bitterness and resentment against society in general and white society in particular are the result. At the same time, most whites and some Negroes outside the ghetto have prospered to a degree unparalleled in the history of civilization. Through television and other media, this affluence has been flaunted before the eyes of the Negro poor and the jobless ghetto youth," (underlines in original).[43]

The Kerner Report argued further that Black disappointment (which came with integration) coupled with the pre and post *Brown* v. *Board of Education* (1954) political climate that tended "toward approval and encouragement of [White] violence," forecast the post 1960s epoch of Black violence in urban settings. What has become apparent in cities across the nation--particularly in the cities that were the subject of the Kerner Report--is that the study's findings and observations have been categorically neglected at the national, state, and local levels. In a 1998 30th anniversary study entitled "The Millenium Breach," the Milton S. Eisenhower Foundation concluded that the Kerner Report's most dire pronouncement that "our nation is moving toward two societies, one black, one white--separate and unequal," has come to fruition.[44] Certainly the major demographic shifts which now include large segments of Asians and Latinos challenge the more dated biracial aspect of both studies, but the underlying message is the same: America's cities are teeming with marginality and hopelessness. The Eisenhower Foundation's major findings include:

- Unemployment rates for young African American men in cities such as Los Angeles is six times the rate of unemployment across the nation.
- The United States currently incarcerates Black men at a rate of four times that of Apartheid-ruled South Africa.
- U.S. child poverty rate is four times the average of western European countries.
- Of the 43 percent of children of color attending public schools, more than half are poor and more than 2/3rds fail to reach minimum levels of national tests.

III. San Francisco in the Context of Violence

A. Comparing San Francisco with Major Cities

Throughout the decade of the 1990s, the city of San Francisco ranked high among comparable cities across the nation and within the state of California in the reduction of violent and overall crime rates. Some research suggests that San Francisco achieved these reduction rates while employing progressive punishment policies that have resulted in reduced adult and juvenile arrests and commitments, prosecutions and incarcerations. An evaluation of interpersonal violence (homicide/murder, forcible rape, robbery, and aggravated assault) in Part I crimes between 1990 and 1998 highlights San Francisco's performance. For example, between 1990 and 1998 San Francisco experienced a thirty-eight percent (38%) decrease in overall reported crime rates, while the average for ten comparable cities was thirty percent (30%). Excluding property crimes such as burglary and motor vehicle theft, San Francisco's fifty-percent (50%) reduction in its murder rates between 1992 and 1998 exceeded the average reduction in the ten comparable cities by fifteen percent (15%). New York City's seventy-two percent (72%) reduction in murder rates between 1990 and 1998 catapulted it to the fore of national media coverage. However, the New York City model-with its forty-six percent (46%) reduction in reported violent crimes-depended upon strict "law and order", "get tough on crime", enforcement policies, an eighty-seven (87%) increase in its police forces, and increased felony and misdemeanor arrests and prosecutions. That San Francisco experienced a higher reduction in reported violent crime rates than New York City during the same period was neglected in popular media and law enforcement circles.

B. Comparing San Francisco with California's Major Counties and Cities

Taqui-Eddin and Macallair's (1999)[45] comparison of California's nine largest counties suggests that San Francisco county's thirty-five percent (35%) reduction in reported violent crime rates equaled Los Angeles's and was bettered only by

Orange County thirty-six percent (36%) reduction rate. Orange County has historically maintained some of the state's lowest reported crime rates. Where Los Angeles County experienced the most significant rate change among California's largest counties in 1998, San Francisco County's absolute number of reported violent crimes (7,409) was dwarfed by Los Angeles's (94,164) and ranks lower in this regard than only Fresno (6,894) and San Mateo (2,361) Counties. When compared to California's largest cities, "San Francisco's violent crimes reductions matched or exceeded (Los Angeles, San Diego, and San Jose) jurisdictions", according to Taqui-Eddin and Macallair. Assessing these effects with regard to Part I violent crimes between 1990-98, the city of San Francisco reduced its overall reported violent crime rate by forty-three percent (43%). Where Los Angeles's forty-five percent (45%) decline exceeded that of San Francisco for that time period, between 1992 and 1998 San Francisco experienced the greatest reduction of California's four largest cities. Standing alone, between 1990 and 1998 San Francisco experienced its most significant declines in the Part I categories of forcible rape and aggravated assault. As well, between 1992 and 1998 San Francisco experienced a fifty percent (50%) decline in its homicide/murder rate and a fifty-three percent (53%) decline in reported robberies. Yet no single factor can be identified with San Francisco's violent crime reductions. Testimony presented before the Human Rights Commission of the city and county of San Francisco (HRC) suggests that redundant and uncoordinated (but no less complimentary) efforts by community groups, youth oriented programs, faith communities, government (including law enforcement agencies) and city agencies, have made significant contributions.

TABLE 3

Table 3 Reported Violent Crime in San Francisco 1993-2000

Year	1993	1994	1995	1996	1997	1998	1999	2000
Homicide	123	92	99	82	59	58	64	59
Forcible Rape	364	295	305	299	236	246	193	229
Robbery	8,544	6,677	6,522	5,565	4,618	3,957	3,475	3,456
Agg. Assault	4,499	3,873	4,072	4,000	3,695	3,148	2,823	2,755
Total	13,530	10,937	10,998	9,946	8,608	7,409	6,555	6,499

Sources: California Department of Justice Criminal Justice Statistics

When compared to incidents of reported homicides between 1993 -1995 and 1996-1998 in the San Francisco current period (1999-2001) is somewhat positive.[46] The two-year total homicide/murder rate between 1993 through 1995 was 320 people, for 1996-1998 it was 199 people, and the current (1999-2001) period is an estimated 176.[47] As noted above, the economic vitality of the decade had a positive effect on crime reduction. While poor communities of color are normally bypassed during periods of prosperity, market cycle downturns tend to have an effect on serious crime in poor communities. Multi-level crime rate comparisons notwithstanding, the patterns of progress and causes for optimism in San Francisco were shattered by city-wide incidents of gun-related violence in its poorest communities, particularly in its communities of color, such as Bayview-Hunter's Point, the Western Addition, and OMI.

C. Recent Escalations of Violence in San Francisco

A brief summary of Part I violence within San Francisco highlights where remedial efforts might best be directed. Between 1999 and 2001[48] the Bayview Hunter's Point has yielded the highest two year average and absolute number of

homicides, followed respectively by the Southern, Mission, and Northern Districts (see Table 4).

TABLE 4

Table 4 Part I Violence in San Francisco Communities 1999-2001

District	Homicide	Rape	Robbery	Agg. Assault
Bayview/HP	23	78	988	931
Central	3	38	721	449
Ingleside	13	53	994	547
Mission	17	86	1,432	1,198
Northern	15	41	1,095	666
Park	7	33	416	287
Richmond	3	14	344	235
Southern	17	24	1,246	1,016
Taraval	13	34	615	346
Tenderloin	7	30	921	780
Unknown		85	136	108

News media, police reports, and community testimony attach much of the violence in the Bayview to drug and gang-related activities. Incidents in the Bayview, Western Addition, and OMI districts accounted for eighty-nine percent (89%) of the gun violence in the city. These districts yield the highest number of rapes as well. Much of this activity has occurred among young men with guns ages of 20 and 29 in the evenings between 9:00pm and 3:00am especially in the late summer months (though most incidents have occurred between July and November). Seventy-four percent (74%) of those injured have had prior contact with law enforcement officials. This is clearly not a "youth violence" problem, but a problem of young adults killing and otherwise victimizing other young adults and the community at large. Recent arrests by a federal task force in the Bayview[49] area will likely have a positive immediate impact on quelling the recent violence, but law enforcement cannot by itself address the long term, holistic

needs of the city's African American communities. Violence is best prevented through communal efforts that bring together the energies of community groups, city agencies, mentoring programs, faith communities, educational resources, and so forth.

D. The Unfinished Agenda

The city's failure to implement, as policy issues, the goals and recommendations of the HRC's comprehensive 1993 Unfinished Agenda report on the African American community of San Francisco highlights the neglect that has contributed to a deterioration in quality of life categories such as improved educational performance for its students, employment and job training (especially) for young African American males, public health and safety issues such as AIDS and gun violence, and economic empowerment of its paltry middle class through entrepreneurial participation in its economy.[50] The Unfinished Agenda remains unfinished (in 2001) as a result of developments both within and external to the city's Black communities.

The four decades old decline in the city's Black population was confirmed in the 2000 U.S. Census which reported that San Francisco's African American percentage of the total population declined by nearly five percent since 1990. Moreover, the Black population of San Francisco declined faster and by a higher percentage (between -15.1 percent and -24 percent)[51] than all other cities nationally, losing 1 of every 7 of its African American residents. It is unclear precisely where or why nearly 12,000[52] of the city's residents have moved or what centrifugal influences were at work. During the 1990s San Francisco became an important center for the information technology related industries that replaced the formerly dominant manufacturing industry. Like major cities nationally (e.g., Newark, New Jersey; Detroit; Cleveland; and Oakland and Richmond, California), San Francisco's Black residents were integral to post-World War II manufacturing economies which accommodated semi and unskilled

laborers (among whom they were abundant). Since the 1970s, however, the city's Black residents have increasingly found it less accommodating; even those who had access to inherited property ownership preferred East Bay and Southern state relocations. Consequently Black San Franciscans' position as potential governing or electoral coalition partners with the city's major ethnic populations has been severely weakened as it was demoted to the city's fourth largest population during the decade.[53] It is apparent that Black San Franciscans' political capital has diminished exponentially with their declining population numbers.

San Francisco's international reputation as the bastion of progressivism in the United States has been greatly exaggerated in matters that affect, somewhat uniquely, its African American communities and neighborhoods. The city's various progressive subcultures (environmentalism, populism, and liberalism) have not coalesced sufficiently around the cause and interests of its racial populations to eradicate the steady and protracted deterioration in population, economic revitalization, housing, education, job training, and episodic community violence.[54] This development has led Richard DeLeon to argue that "...many of these 'white progressives' see themselves as the vanguard of a new politics for the twenty-first century. In matters of race, however, they have put first things last in their efforts to build a progressive urban regime."[55] He adds, "the politics of race must compete for public attention with gender politics, gay and lesbian politics, neighborhood politics, environmental politics, labor politics, and the politics of land use and development. Citizens find it hard to respond coherently to so many simultaneous appeals to racial, gender, turf, and class solidarities."[56] As early as the 1960s, the San Francisco Redevelopment Agency's Western Addition redevelopment (which displaced 4,000 African American residents), its 1990 pledge to revitalize the Fillmore Center, the 1991 Planning Department's aborted South Bayshore rezoning and redevelopment plan, and the Redevelopment Agency's $5 million commitment to the Bayview--15 percent of

which went to a white-owned Hunter's Point store--were interpreted by residents and local leaders as elaborate gentrification schemes that had only collateral benefits to the community.[57] The degree to which long-term preventive and remedial efforts can replace the short-term "band-aid on bullet wound" mentality that describes how San Francisco's political elites, agencies, and funding sources treat problems of crime, violence, unemployment, skills and educational institution deficiencies reflects the city's commitment to the effected communities. Violence in San Francisco's communities of color mirror national patterns and national issues and is likely to fluctuate with improved or declining opportunity structures. Officials and interested individuals who seek to improve the condition of the city's African American communities; to remedy on a long-term basis, the problems that exacerbate into violence should do so with a view of reconciling the city's legacy as political and social trailblazer with programs and resources that might bring especially its young people of color to par with its reputation.

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[1] At the height of the drug turf wars between Los Angeles' rivaling "Crips" and "Bloods" street gangs, the federal government conducted these studies at the Los Angeles/Watts Area King-Drew hospital. It is unknown how widespread this study was or if similar studies were done in other cities.

[2] James Austin, Marino Bruce, Leo Carroll, Patricia L. McCall, and Stephen C. Richards. 2000. "The Use of Incarceration in the United States" *National Policy White Paper*, American Society of Criminology (draft).

[3] Elihu Rosenblatt, (ed). 1996. *Criminal Injustice: Confronting the Prison Crisis* (Boston, Massachusetts: South End Press), p. 43.

[4] "Poor Neighborhoods Add Risk to Heart Attacks, Study Finds." 2001. *San Francisco Chronicle*. July, 12, A2.

[5] San Francisco Police Department Monthly Crime Statistics Report categorizes eight Part I crimes. This study focuses on Part I violent crimes which are homicide, rape, robbery, and aggravated assault. Part I non-violent crimes are burglary, other larceny, auto boostings, motor vehicle theft.

[6] Noel A. Day and Zenophon A. Abraham. 1993. *The Unfinished Agenda: The Economic Status of African Americans in San Francisco, 1964-1990*, February. p. 14-16.

[7] Charles Murray and Richard J. Herrnstein,. 1994. *The Bell Curve*. (New York: The Free Press).

[8] Stephen Jay Gould in Steven Fraser (ed). 1995. *The Bell Curve Wars: Race, Intelligence, and the Future of America, (New York: Basic Books)*, p. 14.

[9] This was an official designation by the Australian government as it initiated a 70 year long practice of extracting Aborigine children from their homes.
[10] Andrew Hacker, "Caste, Crime, and Precocity." 1995. In Steven Fraser, (ed).*The Bell Curve Wars*. New York: Basic Books, 97-108.
[11] "Relevant Statistical Data of African American Students in San Francisco Unified School District." 2001. Information Technology Department, July.
[12] *Brown v. Board of Education*, 347 U.S. 483, 98 L. Ed. 873, 74 S. Ct 686 (1954).
[13] See for instance, Ronald Takaki (ed). 1994. *From Different Shores: Perspectives on Race and Ethnicity in Americ*a. See the debate between Nathan Glazer and Ronald Takaki, "The Emergence of An Ethnic Pattern" by Glazer and "Reflections on Racial Patterns in America," p. 9-37.
[14]Steven R. Donzinger (ed). 1996. *The Real War on Crime: The Report of the National Criminal Justice Commission.* (New York: Harper Perennial).
[15] San Francisco Human Rights Commission. 2001. "Minutes of the Commission Meeting December 14, 2000" (approved unanimously) January 11.
[16]Stephan Thernstrom and Abigail Thernstrom. 1997. *America in Black and White: One Nation Indivisible*. (New York: Touchstone Books), p. 260.
[17] Donzinger. 1996. p. 3.
[18] James Lance Taylor. 2001. "Benjamin Chavis Muhammad: From Wilmington to Washington, From Chavis to Muhammad," in Jo Reneee Formicola and Hubert Morken (eds), *Religious Leaders and Faith-Based Politics.* New York: Rowman and Littlefield.
[19] Rod Bush. 1999. *We Are Not What We Seem: Black Nationalism and Class Struggle in the American Century*. (New York: New York University Press), p. 25.
[20] For a full account of the politics of rap music, see Rod Bush, 1999. See also Michael Eric Dyson. 1996. *Between God and Gangsta Rap: Bearing Witness to Black Culture*. (New York: Oxford University Press).
[21] Cornel West. 1993. *Race Matters*. (Boston: Beacon Press).
[22] "Minorities Psychiatric Needs Unmet." 2001. *Oakland Tribune*, August 27. A4.
[23] The twin increases in the expansion of the Black middle and poverty classes in the nation--though the poor cohort is expanding wider and faster--has spawned a number of studies that explore the idea of Black (class-based) "interest differentiation" and ideological bifurcation. See for instance, Katherine Tate. 1993. *From Protest To Politics: The New Black Voters in American Elections*, (New York: Russell Sage Foundation); Michael C. Dawson. 1993. *Behind the Mule: Race and Class in African American Politics.* (Princeton, New Jersey: Princeton University Press). Stephan and Abigail Thernstrom. 1997.
[24] See for instance, *Social Justice: A Journal of Crime and Conflict and World Order*. 2000. Critical Resistance to the Prison-Industrial Complex. Vol. 27, No. 3. and Elihu Rosenblatt. 1996.
[25] Donzinger. 1996. p. 9.
[26] Donzinger. 1996. p.3.
[27] *The Final Call*, "Why Are We Charging Youths AS Adults?" p. 3,29.
[28] See for instance Jimmie L. Reeves and Richard Campbell. 1994. *Cracked Coverage: Television News, The Anti-Cocaine Crusade, and the Reagan Legacy*. (Durham, North Carolina: Duke University Press).

[29] *United States v. Clary*, 846 F. Supp. 768, 783 (1994)
[30] Kevin Fagan. 2001. "Report Faults Coverage of Crime: Youth , Minorities Overplayed, Group Says." *San Francisco Chronicle*, April 10, A2.
[31] W.E.B. Du Bois. 1903. *The Souls of Black Folk.* (Reprint) New York: Fawcett Premier Book, 1968.
[32] 1,469 or sixty-eight percent (68%) involved guns; 1,316 involved handguns. (Crime in the United States 1998: Uniform Crime Reports, Washington, DC: United States Department of Justice, 1999) as reported by the Human Rights Commission City and County of San Francisco.
[33] Percentages may not add to 100 percent because of rounding. Hispanics are included in all race categories. FBI Supplemental Homicide report.
[34] Patricia Montemurri and Heather Newman. 1999. "Blacks in State Paying Deadliest Price for Guns," Detroit Free Press. July 14, A2.
[35] See Rosenblatt, 1996.
[36] The National Policy White Paper American Society of Criminology suggests that 1.5 million children have at least one parent incarcerated. Between 1980 and 1999, the total number of women incarcerated increased 576 percent (nearly doubling the 303 percent increase of male inmates during the same period); most of these women are mothers.
[37] Rosenblatt, 1996. p. 36.
[38] Rosenblatt, 1996. p.17.
[39] Manning Marable, 1985. *Black American Politics: From the Washington Marches to Jesse Jackson*. (London: Verso); Marcus D. Pohlman, 1990. *Black Politics in Conservative America*. (New York: Longman); Haynes Walton, Jr. 1997. *African American Power and Politics: The Political Context Variable*. (New York: Columbia University Press); Paula D. McClain and Joseph Stewart. 1998. *Can We All Get Along: Racial and Ethnic Minorities in American Politics*, (2nd edition) (New York: Westview Press). McClain and Stewart place the events of April 1992 within a larger racial/ethnic narrative reflecting a two-headed "dilemma" having to do with racial/ethnic "political inequality" and "voting rights" in the American political system.
[40] For instance, just months after the Rodney King beating, a Detroit man—Malice Green—accused of refusing to surrender "crack" cocaine to arresting officers, was beaten to death.
[41] Andrew Sum and Neal Fogg. 1990. "The Changing Economic Fortunes of Young Black Men in America." *The Black Scholar: Journal of Black Studies and Research*. January-February-March, 1990. Volume 21, No. 1. P. 47-56.
[42] See Thernstrom and Thernstrom, 1997. p. 59-61; 86-88.
[43] *Report of the National Advisory Commission on Civil Disorders*. 1968. New York: Bantam Books.
[44] This is not to discount the emergent Black middle class that doubled between 1970 and 1990 (this we have noted above) but the more rapidly expanding number of Black families hovering the poverty line tempers this "progress".
[45] Khaled Taqi-Eddin and Dan Macallair. 1999. Shattering "Broken Windows": An Analysis of San Francisco's Alternative Crime Policies. (San Francisco, California: The Justice Policy Institute), p. 1-11.
[46] What can be discerned with the available data is that San Francisco has not returned to its 1993-95 total of 326 homicides.

[47] Assuming that the remaining six months of 2001 equal or approximate (June to December rates which were 21 and 17 respectively), we can estimate the 2001 reported homicide rates to range between 51 and 56. Thus bringing the two year total between 1999-2001 to about 153. The current reported homicide rate (June 2001) of 24 exceeds both 1999 and 2000 reports for the same period. Thus overall Part 1 violent crime rates in San Francisco for the current period (19,591) remain significantly lower than the periods 1993-1995 (35,471) and 1996-1998 (25,963).
[48] This data is based on SFPD crime reports through June 2001.
[49] Rick DelVecchio, Bob Egelko, and Jaxon Van Derbeken. 2001. "Task Force Cracks Down on Alleged S.F. Drug Gang," *San Francisco Chronicle*. September 1. A1, 9.
[50] For some discussion of the city's attitude toward encouraging Black petty-bourgeois markets, see n53 citation in *San Francisco Bay Guardian* "Black Leaders Push for Role in Redevelopment." July 1991 p. 213 *and San Francisco Bay Guardian* 22 May 1991 "They Just Don't Get It."
[51] The higher percentage excludes the new multiracial category that was created by the 2000 Census.
[52]Erin McCormick. 2001. "Black Population Plummeting in S.F." *San Francisco Chronicle*. July 17, A1, 17.
[53] Rufus P. Browning, Dale Rogers Marshall, and David H. Tabb (eds). 1997. Racial Politics in American Cities, 2nd edition. (New York: Addison Wesley Longman, Inc).
[54] Richard A. Deleon. 1997. "Progressive Politics in the Left Coast City: San Francisco," in Browning, Marshall, and Tabb (eds), p. 35.
[55] Ibid., p. 138.
[56] Ibid., p. 140.
[57] Ibid., 45 and 143-144.

	RECOMMENDATION	DEPARTMENT	TASK	DUE DATE
EDUCATION	▪ Institute youth achievement awards to reward high achieving students who live in the affected communities.	SFUSD/HRC/Youth & Education Committee	Letter requesting information regarding such programs from SFUSD	2nd Commission meeting in January
	▪ Introduce youth leadership and civic lessons in public schools.	SFUSD	Letter requesting information regarding such programs from SFUSD	2nd Commission meeting in January
	▪ Offer courses in mediation and anger management in order to equip the youth with the skills necessary to resolve disputes without recourse to violence.	YGC/SFUSD	Letter requesting information regarding such programs from SFUSD	2nd Commission meeting in January
	▪ Improve youth educational experience through improvements in school curricula, such as the addition of creative arts programs tailored to the youth experience.	SFUSD	Letter requesting representative from school district to present to Commission regarding status of this item/subject	No later than March
	▪ Reduce class size, particularly for students with learning disabilities.	SFUSD	Letter requesting representative from school district to present to Commission regarding status of this item/subject	No later than March
	▪ Modernize learning facilities.	SFUSD	Letter requesting representative from school district to present to Commission regarding status of this item/subject	No later than March
	▪ Implement measures to ensure that teachers in inner city schools are well trained and have access to adequate resources.	SFUSD	Letter requesting representative from school district to present to Commission regarding status of this item/subject	No later than March

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	RECOMMENDATION	DEPARTMENT	TASK	DUE DATE
RECREATION	▪ Provide improved after-school programs for young people, such as Midnight Basketball, creative writing classes, drama, theatre, photography, and music classes.	Rec & Park	Letter requesting representative from Rec & Park to present to Commission regarding status of this item/subject	No later than March
	▪ Ensure that public parks are clean, well-maintained, and safe.	Rec & Park	Letter requesting representative from Rec & Park to present to Commission regarding status of this item/subject	No later than March
YOUTH MENTORING	▪ Implement a City-wide mentorship program that will provide access to positive authority figures, particularly for at-risk young people. Mentors should be sensitive to the cultural and economic backgrounds of the participants. The program should also include mentors in the business and government sectors who can guide participants in the search for employment and integration into working life.	MONS/MCJC/SFPD	Letter to departments to identify existing programs, how they operate, who can join Work with Youth & Education Committee to disseminate to community	2nd Commission meeting in January Report to Commission by end of March
	▪ Provide mentorship programs for young parents to assist them in raising their children.	YGC Programs	Letter to departments to identify existing programs, how they operate, who can join	Letter in January Report to Commission by end of March
	▪ Institute a process for community recognition of high achieving and civic-minded young people.	YGC/SFUSD/MONS Youth Commission	Letter to departments to identify existing programs, how they operate, who can join	Letter in January Report back by March
	▪ Increase community involvement in the lives of young people by providing a forum for dialogue between the youth and adults.	MONS/YGC	Letter requesting representative from Rec & Park to present to Commission regarding status of this item/subject	Before April

	RECOMMENDATION	DEPARTMENT	TASK	DUE DATE
ECONOMIC DEVELOPMENT	▪ Increase apprenticeship and job training programs for young people as a means of preparing the youth for gainful employment in the formal economy.	HRC/Dept. of Social Services Port/Airport/PUC/Mayor's Office of Economic Dev.	HRC Employment Committee to report on status	Report to Commission by end of April
	▪ Establish a youth entrepreneurship program to assist young people in developing critical business skills and to prepare them for entry into the business community.	MOED Coordinated by HRC	Set up joint meeting between MOED and HRC	Early May
	▪ Coordinate City government's efforts to address the economic instability in the affected communities. Of particular concern to participants was the lack of economic opportunity. Job creation suggested as the primary means of creating a stable economic climate in the affected communities.	HRC/Dept/ of Social Services Port/Airport/PUC/MOED	Letter requesting representative from MOED to present to Commission regarding status of this item/subject	Letter in January Report back by March
	▪ Devote more resources to youth employment in the affected communities.	HRC/Dept/ of Social Services Port/Airport/PUC/MOED	Letter requesting representative from MOED to present to Commission regarding status of this item/subject	Letter in January Report back by March
MEDIA	▪ Create a public forum for dialogue between the media and communities of color as a means of airing and addressing concerns on media coverage of communities of color.	HRC	Authorize HRC Staff to pursue implementation with an organization such as the Maynard Institute	Immediate request Report to Commission by end of April
	▪ Provide logistic and technical assistance to communities of color to assist them in their interaction with members of the media.	HRC	Authorize HRC Staff to pursue implementation with an organization such as the Maynard Institute	Immediate request Report to Commission by end of April
	▪ Commission a content audit of media coverage of the escalating violence.	HRC	Authorize HRC Staff to pursue implementation with an organization such as the Maynard Institute	Immediate request Report to Commission by end of April

	RECOMMENDATION	DEPARTMENT	TASK	DUE DATE
MEDIA *continued*	▪ Provide cultural and sensitivity training to members of the media.	HRC	Authorize HRC Staff to pursue implementation with an organization such as the Maynard Institute	Immediate request Report to Commission by end of April
	▪ Implement a program to increase diversity in newsroom personnel in order to properly reflect a cross-section of opinions and views.	HRC	Authorize HRC Staff to pursue implementation with an organization such as the Maynard Institute	Immediate request Report to Commission by end of April
CITY SERVICES	▪ Publish a catalogue of programs (city and non-governmental) designed to address the issue of violence in the affected communities.	HRC		**COMPLETED** July 12, 2001
	▪ Create one-stop community outreach centers where community members can go to access a wide array of government services.	HRC/MONS	Authorize HRC staff to coordinate with MONS staff	Immediate Request
	▪ Provide adequate assistance to non-English speakers to ensure that they have access to the same range of services as English speakers.	HRC/MONS/DHR/Mayor's Office/Board of Supervisors	Letter from Commission to department(s) expressing community recommendation	Send report to department and Commission by February
	▪ Increase bilingual staff in government agencies to improve access for non-English speakers.	HRC/MONS/DHR/Mayor's Office/Board of Supervisors	Letter from Commission to department(s) expressing community recommendation	February
	▪ Establish criteria for judging effectiveness of publicly funded community programs.	MOCD	Commission to send letter to MOCD to develop criteria for judging effectiveness of publicly funded community programs	April

	RECOMMENDATION	DEPARTMENT	TASK	DUE DATE
CITY SERVICES *continued*	▪ Require greater accountability on the part of agencies and organizations that receive public funds.	MOCD	Commission to send letter to MOCD to develop criteria for judging effectiveness of publicly funded community programs	April
	▪ Increase coordination between publicly funded organizations to avoid duplication of services and attendant waste.	MOCD	Commission to send letter to MOCD to develop criteria for judging effectiveness of publicly funded community programs	April
PUBLIC HEALTH	▪ Increase access to therapy and other mental health services to deal with the effects of violence in the affected communities.	DPH	Letter requesting information regarding such programs from DHR	May
	▪ Evaluate the possibility of subsidizing these services with State and Federal funds.	DPH	Letter requesting information regarding such programs from DHR	May
LAW ENFORCEMENT	▪ Focus law enforcement efforts on gun dealers who contribute to the influx of guns in the affected communities.	SFPD/DA/OPD	Letter requesting representative from Departments to present to Commission regarding status of this item/subject	Letter in March Report to Commission by end of May
	▪ Increase penalty for gun possession.	DA/Board of Supervisors	Letter from Commission to Bill Lockyer, CA Attorney General urging Increase penalty for gun possession	Letter in March
	▪ Aggressively target street-level drug dealers in the affected communities.	SFPD/DA/OPD	Letter requesting representative from Departments to present to Commission regarding status of this item/subject	Letter in April Report to Commission by June

	RECOMMENDATION	DEPARTMENT	TASK	DUE DATE
LAW ENFORCEMENT *continued*	▪ Focus on the drug barons who supply drugs to street level dealers.	SFPD/DA/OPD	Letter requesting representative from Departments to present to Commission regarding status of this item/subject	Letter in April Report to Commission by June
	▪ Target and prosecute "professional criminals" who continue to make life unbearable to members of the affected communities.	SFPD/DA/OPD	Letter requesting representative from Departments to present to Commission regarding status of this item/subject	Letter in March Report to Commission by May
	▪ Increase treatment programs available to drug users.	Sheriff/Probation	Letter requesting information regarding such programs from Sheriff/Probation Dept.	March
	▪ Adopt a systematic and long-term approach to rehabilitation by providing offenders with carefully targeted services during incarceration, such as educational programs that would equip them for re-entry into society and programs that ensure that the stigma of incarceration does not prevent ex-offenders from completely reintegrating into civil society.	Sheriff/Probation/ Bill Lockyer/CA Attorney General/Parole Board	Letter requesting information regarding such programs from Sheriff/Probation Dept.	Department to request such program
	▪ Create a program that helps ex-offenders reintegrate into society.	YGC/MOCD	Create RFP to help fund/create program **that helps ex-offenders reintegrate into society**	Next RFP cycle
	▪ Adopt an effective witness protection program tailored to the affected communities.	SFPD/DA/OPD	Letter requesting representative from Departments to present to Commission regarding status of this item/subject	Letter in April Report to Commission by June
	▪ Increase police/community trust by having police visit middle and high schools to educate students on the issues of drugs and violence.	SFPD	Letter requesting representative from Departments to present to Commission regarding status of this item/subject	Letter in April Report to Commission by June

	RECOMMENDATION	DEPARTMENT	TASK	DUE DATE
LAW ENFORCEMENT *continued*	▪ Re-establish beat police officers on the streets.	SFPD	Letter requesting representative from Departments to present to Commission regarding status of this item/subject	**COMPLETED** After Mayor's Violence Summit
	▪ Improve the process for formal/informal dialogue and communication between the police and the communities.	SFPD	Letter requesting representative from Departments to present to Commission regarding status of this item/subject	Letter in April Report to Commission by June
	▪ Ensure diversity in the membership of the police force as a means of promoting cultural diversity and accessibility to non-English speakers.	HRC/ PD	Letter requesting representative from Police Commission to present to Commission regarding status of this item/subject	Letter in June Report to Commission by August
	▪ Continue handle youth in Juvenile Courts, with sanctions and services designed to punish them and quickly reintegrate them into society.	Courts/DA/PD	Letter from Commission to department(s) expressing community recommendation	March
TASK FORCE RECOMMENDATIONS	▪ Allocate City funds for a program that addresses the needs of high-risk single fathers.	MOCD/YGC	Create RFP to help fund/create program **that helps ex-offenders reintegrate into society**	Next RFP cycle
	▪ Implement an information campaign aimed at restoring voting rights for those convicted of a criminal offense.	HRC	Authorize HRC staff to implement such program	Immediate request Report to Commission by July
	▪ Publish a brochure for youth on what to do when stop by the police.	HRC		**COMPLETED** July 12, 2001

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CHAPTER 12K LOCAL IMPLEMENTATION OF THE UNITED NATIONS CONVENTION ON THE ELIMINATION OF ALL FORMS OF DISCRIMINATION AGAINST WOMEN (CEDAW)

SEC. 12K.1. FINDINGS.

SEC. 12K.1. FINDINGS.

The Board of Supervisors of the City and County of San Francisco hereby finds and declares as follows:

(a) The Convention on the Elimination of All Forms of Discrimination Against Women (**CEDAW**), an international human rights treaty, provides a universal definition of discrimination against women and brings attention to a whole range of issues concerning women's human rights. Countries that ratify **CEDAW** are mandated to condemn all forms of discrimination against women and girls and to ensure equality for women and girls in the civil, political, economic, social and cultural arenas. The United Nations General Assembly adopted **CEDAW** in 1979 and President Carter signed the treaty on behalf of the United States in 1980, but the United States Senate has not yet ratified **CEDAW**.

(b) On October 30, 1997, a consortium of community organizations, the Commission on the Status of Women, the Human Rights Commission and Board of Supervisors President Barbara Kaufman held a hearing on the local implications of **CEDAW**. The testimony at the hearing demonstrated that women and girls continue to face discrimination in the areas of economic development and employment, violence against women and girls, and health care. On November 10, 1997, the Board of Supervisors adopted Resolution No. 1021-97, supporting the local implementation of the underlying principles of **CEDAW** and urging the United States Senate to ratify **CEDAW**. On November 17, 1997, Mayor Willie Brown approved Resolution No. 1021-97.

(c) There is a continued need for the City and County of San Francisco to protect the human rights of women and girls by addressing discrimination, including violence, against them and to implement, locally, the principles of **CEDAW**. Adherence to the principles of **CEDAW** on the local level will especially promote equal access to and equity in health care, employment, economic development and educational opportunities for women and girls and will also address the continuing and critical problems of violence against women and girls. There is a need to analyze the operations of City departments, policies and programs to identify discrimination in, but not limited to, employment practices, budget allocation and the provision of direct and indirect services and, if identified, to remedy that discrimination. In addition, there is a need to work toward implementing the principles of **CEDAW** in the private sector.

(d) There is a need to strengthen effective national and local mechanisms, institutions and procedures and to provide adequate resources, commitment and authority to: (1) advise on the impact of all government policies on women and girls; (2) monitor the situation of women comprehensively; and (3) help formulate new policies and effectively carry out strategies and measures to eliminate discrimination. The Commission on the Status of Women shall be designated as the implementing and monitoring agency of **CEDAW** in the City and County of San Francisco.

(e) In April 1998, the City and County of San Francisco originally enacted this ordinance implementing the principles underlying **CEDAW**. In 1998, City officials and community representatives formed a **CEDAW** Task Force. In 1999, the **CEDAW** Task Force and the Commission on the Status of Women developed "Guidelines for a Gender Analysis," a set of guidelines to assist City departments in implementing the local principles of **CEDAW**. In 1999, two City departments used the Guidelines to analyze their departments. The resulting report, "A Gender Analysis: Implementing the Convention on the Elimination of All Forms of Discrimination against Women" (November 1999) demonstrated a continuing need to work on elimination of discrimination against women. The Report further revealed that discrimination based on gender is interconnected and often overlaps with discrimination based on race and other criteria.

(f) The Report called on the City and County of San Francisco and its departments to:

(1) Increase education in human rights with a gender perspective;

(2) Expand the collection of data disaggregated by gender, race and other traits; and

(3) Create a more fair and equitable workplace by increasing effective recruitment efforts for a diverse workforce, providing meaningful family friendly policies to retain employees and increasing professional development and training opportunities for all employees.

The Report revealed the need to analyze policies, procedures and programs on a Citywide, in addition to, department level. Both the Report and the department human rights trainings revealed the need to consider the intersection of gender and race in particular recognizing the unique experiences of women of color. (Added by Ord. 128-98, App. 4/13/98; amended by Ord. 325-00, File No. 001920, App. 12/28/2000)

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CHAPTER 12K LOCAL IMPLEMENTATION OF THE UNITED NATIONS CONVENTION ON THE ELIMINATION OF ALL FORMS OF DISCRIMINATION AGAINST WOMEN (CEDAW)

SEC. 12K.2. DEFINITIONS.

SEC. 12K.2. DEFINITIONS.

As used in this Article, the following words and phrases shall have the meanings indicated herein:

(a) "City or City and County" shall mean the City and County of San Francisco.

(b) "Commission" shall mean the Commission on the Status of Women.

(c) "Disaggregated data" shall mean information collected and analyzed by enumerated categories in order to identify the disparities existing between women and men. These categories shall include, to the extent permitted by law, sex, race, immigration status, parental status, language, sexual orientation, disability, age and other attributes.

(d) "Discrimination against women" shall include, but not be limited to, any distinction, exclusion or restriction made on the basis of sex that has the effect or purpose of impairing or nullifying the recognition, enjoyment or exercise by women, irrespective of their marital status, on a basis of equality of men and women, of human rights and fundamental freedoms in the political, economic, social, cultural, civil or any other field. The definition of discrimination includes gender-based violence, that is, violence that is directed against a woman because she is a woman or that affects women disproportionately. It includes acts that inflict physical, mental, or sexual harm or suffering, threats of such acts, coercion and other deprivations of liberty by family, community or government.

(e) "Gender" shall mean the way society constructs the difference between women and men, focusing on their different roles, responsibilities, opportunities and needs, rather than their biological differences.

(f) "Gender analysis" shall mean an examination of the cultural, economic, social, civil, legal and political relations between women and men within a certain entity, recognizing that women and men have different social roles, responsibilities, opportunities and needs and that these differences, which permeate our society, affect how decisions and policy are made.

(g) "Gender equity" shall mean the redress of discriminatory practices and establishment of conditions enabling women to achieve full equality with men, recognizing that needs of women and men may differ, resulting in fair and equitable outcomes for both.

(h) "Human rights" shall mean the rights every individual possesses that are intended to improve the conditions in society that protect each person's dignity and well-being and the humanity of all people.

(i) "Racial discrimination" shall mean any distinction, exclusion, restriction or preference based on race, color, descent, or national or ethnic origin which has the purpose or effect of nullifying or impairing the recognition, enjoyment or exercise, on an equal footing, of human rights and fundamental freedoms in the political, economic, social, cultural or any other field of public life. (Added by Ord. 325-00, File No. 001920, App. 12/28/2000. Former Sec. 12K.2 renumbered as Sec. 12K.3 by Ord. 325-00)

San Francisco Administrative Code
CHAPTER 12K LOCAL IMPLEMENTATION OF THE UNITED NATIONS CONVENTION ON THE ELIMINATION OF ALL FORMS OF DISCRIMINATION AGAINST WOMEN (CEDAW)
SEC. 12K.3. LOCAL PRINCIPLES OF CEDAW.

SEC. 12K.3. LOCAL PRINCIPLES OF CEDAW.

It shall be the goal of the City to implement the principles underlying **CEDAW**, listed in Section 12K.6 by addressing discrimination against women and girls in areas including economic development, violence against women and girls and health care. In implementing **CEDAW**, the City recognizes the connection between racial discrimination, as articulated in the International Convention on the Elimination of All Forms of Racial Discriminaion, and discrimination against women. The City shall ensure that the City does not discriminate against women in areas including employment practices, allocation of funding and delivery of direct and indirect services. The City shall conduct gender analyses, as described in Section 12K.4, to determine what, if any, City practices and policies should change to implement the principles of **CEDAW**.

(a) **Economic Development.**

(1) The City shall take all appropriate measures to eliminate discrimination against women and girls in the City of San Francisco in employment and other economic opportunities, including, but not limited to, ensuring:

(A) The right to the same employment opportunities, including the application of the same criteria for selection in matters of employment and the right to receive access to and vocational training for nontraditional jobs;

(B) The right to promotion, job security and all benefits and conditions of service, regardless of parental status, particularly encouraging the appointment of women to decision making posts, City revenue generating and managing commissions and departments, and judicial positions;

(C) The right to equal remuneration, including benefits and to equal pay in respect to work of equal value;

(D) The right to the protection of health and safety in working conditions, including supporting efforts not to purchase sweatshop goods, regular inspection of work premises, and protection from violent acts at the workplace.

(2) The City shall encourage and, where possible, fund the provisions of the necessary supporting social services to enable parents to combine family obligations with work responsibilities and participation in public life, in particular through promoting the establishment and development of a network of child care facilities, paid family leave, family-friendly policies and work-life balance.

(3) The City shall encourage the use of public education and all other available means to urge financial institutions to facilitate women's access to bank accounts, loans, mortgages, and other forms of financial services.

(b) **Violence Against Women and Girls.**

(1) The City shall take and diligently pursue all appropriate measures to prevent and redress sexual and domestic violence against women and girls, including, but not limited to:

(A) Police enforcement of criminal penalties and civil remedies, when appropriate;

(B) Providing appropriate protective and support services for survivors, including counseling and rehabilitation programs;

(C) Providing gender-sensitive training of City employees regarding violence against women and girls, where appropriate; and

(D) Providing rehabilitation programs for perpetrators of violence against women or girls, where appropriate.

The City shall not discriminate on the basis of race, ethnicity, culture, language or sexual orientation, when providing the above supportive services.

(2) It shall be the goal of the City to take all necessary measures to protect women and girls from sexual harassment in their places of employment, school, public transportation, and any other places where they may be subject to harassment. Such protection shall include streamlined and rapid investigation of complaints.

(3) Prostitutes are especially vulnerable to violence because their legal status tends to marginalize them. It shall be the policy of San Francisco that the Police Department diligently investigate violent attacks against prostitutes and take efforts to establish the level of coercion involved in the prostitution, in particular where there is evidence of trafficking in women and girls. It shall be the goal of the City to develop and fund projects to help prostitutes who have been subject to violence and to prevent such acts.

(4) The City shall ensure that all public works projects include measures, such as adequate lighting, to protect the safety of women and girls.

(5) It shall be the goal of the City to fund public information and education programs to change traditional attitudes concerning the roles and status of women and men.

(c) **Health Care.**

(1) It shall be the goal of the City to take all appropriate measures to eliminate discrimination against women and girls in the field of health care in order to ensure, on a basis of equity, information about and access to adequate health care facilities and services, according to the needs of all communities, regardless of race, ethnicity, culture, language, and sexual orientation, including information, counseling and services in family planning.

(2) It shall be the goal of the City to ensure that women and girls receive appropriate services in connection with prenatal care, delivery, and the post-natal period, granting free services where possible, as well as adequate nutrition during pregnancy

and lactation.

(d) In undertaking the enforcement of this ordinance, the City is assuming an undertaking only to promote the general welfare. It is not assuming, nor is it imposing on its officers and employees, an obligation for breach of which it is liable in money damages to any person who claims that such breach proximately caused injury. (Formerly Sec. 12K.2; added by Ord. 128-98, App. 4/13/98; renumbered and amended by Ord. 325-00, File No. 001920, App. 12/28/2000)

San Francisco Administrative Code
CHAPTER 12K LOCAL IMPLEMENTATION OF THE UNITED NATIONS CONVENTION ON THE ELIMINATION OF ALL FORMS OF DISCRIMINATION AGAINST WOMEN (CEDAW)
SEC. 12K.4. IMPLEMENTATION OF THE PRINCIPLES OF CEDAW IN SAN FRANCISCO.

SEC. 12K.4. IMPLEMENTATION OF THE PRINCIPLES OF CEDAW IN SAN FRANCISCO.

(a) **Citywide integration of human rights principles.** The City shall work towards integrating gender equity and human rights principles into all of its operations, including policy, program and budgetary decision-making. The Commission shall train selected departments in human rights with a gender perspective.

(b) **Gender Analysis and Action Plan.** As a tool for determining whether the City is implementing the local principles of **CEDAW** and/or discriminating against women and girls, selected City departments, programs, policies, and private entities to the extent permitted by law, shall undergo a gender analysis and develop an Action Plan. The gender analysis shall be conducted according to guidelines developed by the **CEDAW** Task Force and Commission. The gender analysis shall include: (i) the collection of disaggregated data; (ii) an evaluation of gender equity in the entity's operations, including its budget allocations, delivery of direct and indirect services and employment practices and (iii) the entity's integration of human rights principles and the local principles of **CEDAW** as set forth in section 12K.3. Upon completion of the gender analysis, the entity shall develop an Action Plan that contains specific recommendations on how it will correct any identified deficiencies and integrate human rights principles and the local principles of **CEDAW** into its operations.

(1) The **CEDAW** Task Force shall identify the City departments, programs, policies, and entities, to undergo the gender analysis and shall develop timelines for completion of the analyses and Action Plans. In the absence of Task Force action, the Commission shall make the selections.

(2) The Commission shall train the selected department, entity, policy or program staff to conduct its gender analysis and shall provide technical assistance to the entity throughout the gender analysis process and development of the Action Plan.

(3) Each department or entity undergoing a gender analysis shall designate a management and/or executive level employee to serve as a liaison to the Commission and to coordinate the completion of the gender analysis.

(4) Each department or entity undergoing a gender analysis shall provide a report on its gender analysis and its Action Plan to the **CEDAW** Task Force and the Commission, which shall review, analyze and comment on the report and forward it to the Board of Supervisors and the Mayor.

(5) The Commission shall monitor the implementation of each department or entity's Action Plan.

(c) **Five-year Citywide Action Plan.** Provided sufficient funds are available, the Commission and the **CEDAW** Task Force shall jointly develop a five-year Citywide Action Plan. The Citywide Action Plan shall address how to integrate human rights principles into the City's operations, how to further implement the local principles of **CEDAW** as described in Section 12K.3, any and all deficiencies found in the gender analyses and the measures recommended to correct those deficiencies. The Commission and the **CEDAW** Task Force shall present the Action Plan to the Mayor and the Boar of Supervisors on or before December 30, 2002. The Board of Supervisors Committee responsible for considering the City's budget shall hold a hearing to receive the Citywide Action Plan and public comment thereon. The Commission shall monitor the implementation of the Citywide Action Plan. (Formerly Sec. 12K.3; added by Ord. 128-98, App. 4/13/98; renumbered and amended by Ord. 325-00, File No. 001920, App. 12/28/2000)

San Francisco Administrative Code
CHAPTER 12K LOCAL IMPLEMENTATION OF THE UNITED NATIONS CONVENTION ON THE ELIMINATION OF ALL FORMS OF DISCRIMINATION AGAINST WOMEN (CEDAW)
SEC. 12K.5. CEDAW TASK FORCE.

SEC. 12K.5. CEDAW TASK FORCE.

(a) **Establishment.** A **CEDAW** Task Force is hereby established. The Task Force shall report to the Mayor, the Board of Supervisors and the Commission. The Commission shall provide administrative support for the Task Force. The Task Force shall consist of 11 members.

(b) **Purpose.** The Task Force is established to advise the Mayor, the Board of Supervisors and the Commission about the local implementation of **CEDAW**.

(c) **Powers and Duties.** The Task Force shall have all powers and duties necessary to carry out the local implementation of **CEDAW** as described in Section 12K.4.

(d) **Membership and Organization.**

(1) The members of the Task Force shall be as follows:

(A) The President of the Human Rights Commission or her or his designee;

(B) A staff member from the Mayor's Office knowledgeable about the City's budget, to be designated by the Mayor;

(C) The head of the Department of Human Resources or her or his designee;

(D) The President of the Board of Supervisors or her or his designee;

(E) The President of the Commission or her or his designee;

(F) Six members from the community to be appointed by the Commission, as follows:

(i) Two representatives shall work in the field of international human rights and be knowledgeable about **CEDAW**,

(ii) One representative shall be knowledgeable about economic development, including employment issues,

(iii) One representative shall be knowledgeable about health care issues,

(iv) One representative shall be knowledgeable about violence against women, and

(v) One representative shall be knowledgeable about City unions and experienced in women's issues.

(2) The Task Force shall convene by June 1, 1998.

(3) The Task Force shall expire on December 31, 2002, unless its powers are renewed by the Board of Supervisors. When the Task Force expires, the Commission shall take on the leadership and responsibilities previously designated to the Task Force.

(4) All appointed members of Task Force shall serve at the pleasure of their appointing authorities. The term of each community member of the **CEDAW** Task Force shall be for two years; provided however, that the initial members shall, by lot, classify their terms so that three members shall serve a two-year term and two members shall serve a three-year term. Subject to the expiration of the Task Force, their successors shall be appointed for a two-year term; provided, however, that any member may be reappointed for consecutive terms.

(e) **Alternate members.** An alternate may be designated for each member. Ex officio members enumerated in Subsection (d)1(A)—(E) may designate a person to serve as her or his alternate. The Commission may appoint alternate members for those community members enumerated in Subsection (d)(1)(F). The term of office of the alternate shall be the same as that of the regular member. When the regular member is not present at the meeting of the Task Force, the alternate may act as the regular member and shall have all the rights, privileges, and responsibilities of the regular member.

(f) **Attendance requirement.** The President of the Commission, or her or his designee, shall monitor the attendance of the Task Force. In the event that any community member, enumerated in Subsection (d)(1)(F), and her or his alternate miss three regularly scheduled meetings of the Task Force without the prior notice to the Task Force, the President or her or his designee shall certify in writing to the Commission that the member and alternate have missed three meetings. On the date of such certification, the member and alternate shall be deemed to have resigned from the Task Force. The President or her or his designee shall notify the Commission of the resignation and request the appointment of a new member and alternate. (Formerly Sec. 12K.4; added by Ord. 128-98, App. 4/13/98; renumbered and amended by Ord. 325-00, File No. 001920, App. 12/28/2000)

San Francisco Administrative Code
CHAPTER 12K LOCAL IMPLEMENTATION OF THE UNITED NATIONS CONVENTION ON THE ELIMINATION OF ALL FORMS OF DISCRIMINATION AGAINST WOMEN (CEDAW)
SEC. 12K.6. SUMMARY OF CEDAW.

SEC. 12K.6. SUMMARY OF CEDAW.

Article 1: Defines discrimination against women as any "distinction, exclusion, or restriction made on the basis of sex which has the effect or purpose of impairing or nullifying the recognition, enjoyment or exercise by women, irrespective of marital status, on the basis of equality between men and women, of human rights or fundamental freedom in the political, economic, social, cultural, civil, or any other field."

Article 2. Mandates concrete steps, implementing laws, policies and practices to eliminate discrimination against women and embody the principle of equality.

Article 3. Requires action in all fields - civil, political, economic, social, and cultural - to advance the human rights of women.

Article 4. Permits affirmative action measures to accelerate equality and eliminate discrimination.

Article 5. Recognizes the role of culture and tradition, and calls for the elimination of sex role stereotyping.

Article 6. Requires suppression of traffic in women and exploitation of prostitutes.

Article 7. Mandates ending discrimination against women in political and public life.

Article 8. Requires action to allow women to represent their governments internationally on an equal basis with men.

Article 9. Mandates that women will have equal rights with men to acquire, change or retain their nationality and that of their children.

Article 10. Obligates equal access to all fields of education and the elimination of stereotyped concepts of the roles of men and women.

Article 11. Mandates the end of discrimination in the field of employment and recognizes the right to work as a human right.

Article 12. Requires steps to eliminate discrimination from the field of health care, including access to family planning. If necessary, these services must be free of charge.

Article 13. Requires that women be ensured equal access to family benefits, bank loans, credit, sports and cultural life.

Article 14. Focuses on the particular problems faced by rural women.

Article 15. Guarantees equality before the law and equal access to administer property.

Article 16. Requires steps to ensure equality in marriage and family relations.

Article 17. Calls for the establishment of a committee to evaluate the progress of the implementation of **CEDAW**.

Article 18-30. Set forth elements of the operation of the treaty. (Formerly Sec. 12K.5; added by Ord. 128-98, App. 4/13/98; renumbered by Ord. 325-00, File No. 001920, App. 12/28/2000)

City and County of San Francisco

Willie Lewis Brown, Jr.
Mayor

Human Rights Commission
Contract Compliance
Dispute Resolution/Fair Housing
Minority/Women/Local Business Enterprise
Lesbian Gay Bisexual Transgender & HIV Discrimination

Virginia M. Harmon
Interim Director

QUARTERLY REPORT ON DEPARTMENTAL PERFORMANCE IN IMPLEMENTING CHAPTER 12D.A OF THE SAN FRANCISCO ADMINISTRATIVE CODE

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www.ci.sf.ca.us/sfhumanrights

QUARTERLY REPORT

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A. REPORTING REQUIREMENTS OF CHAPTER 12D.A

B. CITYWIDE DIVERSITY TRACKING SYSTEM

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I. INTRODUCTION

A. REPORTING REQUIREMENTS OF CHAPTER 12D.A.

The Director of the Human Rights Commission ("HRC") is required to evaluate departmental performance and progress in effectuating the requirements of the MBE/WBE/LBE Ordinance on a quarterly basis.

Chapter 12D.A.18(A) provides that the director shall issue to the Board of Supervisors a quarterly report documenting, "...each City department's performance under the terms of this Ordinance, including among other things, each City department's progress in meeting its MBE/WBE goals and the success of each department's prime contractors complying with its best efforts obligations to meet MBE/WBE subcontracting goals..."

B. CITYWIDE DIVERSITY TRACKING SYSTEM

The Citywide Diversity Tracking System ("System") provides the HRC and the Controller's Office contracting data about vendors, contractors and subcontractors who were awarded contracts by departments and received City dollars.

On February 1, 1999, the System became available for departmental use. Departments have had more than two years to become accustomed to the requirements of the System and to input contracting information. In addition, HRC has conducted on-going training sessions with departments to ensure that departments are familiar with the System.

For this quarterly report, the data set consists of all contracting information departments have entered into the System for the calendar year January 1, 1998 to November 16, 2001 when Department of Telecommunications and Information Services ("DTIS") staff extracted all data contained in the System.

II. EVALUATION OF DEPARTMENTAL PERFORMANCE IN THE IMPLEMENTATION OF CHAPTER 12D.A

A. DEPARTMENTAL UTILIZATION OF CERTIFIED FIRMS AS PRIME AND SUBCONTRACTORS

For tables demonstrating departmental utilization of certified firms as prime and subcontractors on City contracts, see Appendix 1. For tables demonstrating Citywide utilization of certified firms as prime and subcontractors, identified by certain ethnicities, see Appendix 2.

B. DEPARTMENTAL PERFORMANCE IN MEETING THE MAYOR'S MBE/WBE UTILIZATION GOALS

Mayor Willie L. Brown, Jr. has established the Citywide MBE/WBE participation goals for the 2001-2002 fiscal year pursuant to Chapter 12D.A.8(1). The City uses these figures to gauge departmental performance in utilizing MBE/WBE firms. They are as follows:

Goals	Architecture/ Engineering	Construction	Professional Services	Tele-Comm.	Purchasing
MBE	35%	33%	14%	15%	11%
WBE	15%	11%	12%	10%	9%

As of this date, the data entered into the System shows that, based on all dollars awarded by the City, MBEs and WBEs received the following percentages: (see Appendix 3)

	Architecture/ Engineering	Construction	Professional Services	Telecomm.	Purchasing
MBE	29.71%	22.17%	4.56%	0.01%	4.04%
WBE	20.94%	14.25%	4.19%	0.01%	3.32%

C. DEPARTMENTAL COMPLIANCE WITH REQUIREMENTS OF THE CITYWIDE DIVERSITY TRACKING SYSTEM

The System prompts departments to input contracting information when the Controller's FAMIS system indicates that an encumbrance[1] has been established. Once an encumbrance is identified in the System, departments are required to enter contracting information, including the identification of any subcontractors, contract value and any payments made to either prime and/or subcontractors.

For this report, the HRC Commission requested all contract-awarding departments to input and/or correct any outstanding contracting data in the System by November 10, 2001. The HRC provided assistance where needed and streamlined the process for this reporting period. Most departments responded immediately to this request and made substantial improvements to their data.

1. DEPARTMENTAL ENCUMBRANCES

HRC staff evaluated departmental performance in inputting the required contracting data by determining the number of outstanding encumbrances for which departments have failed to input any contacting information.

The following table demonstrates the number of encumbrances reported by FAMIS to date, for each of the identified departments. The first column under the "Encumbrances" heading represents the number of encumbrances in the System as of May 25, 2001 (6/1/01 Quarterly Report extract). The second column represents the number of encumbrances as of August 28, 2001(previous quarter's extract). The third column represents the number of encumbrances as of November 16, 2001.

[1] An encumbrance indicates that an amount of money is available for a particular contractor and project.

DEPARTMENT	ENCUMBRANCES		
	05/29/2001	08/28/01	11/28/2001
Airport Commission	358	281	248
Department of Public Transportation-MUNI	699	443	491
Department of Public Works	12	17	20
DTIS	0	13	0
Parking & Traffic Commission	102	117	121
Port Commission	17	31	42
Public Utilities Commission	49	54	53
Office of the City Attorney	144	160	167
Department of Human Resources	234	233	1055
Department of Human Services	*	474	491
Department of Public Health	5839**	64352**	**
Retirement Services	3	27	0
Treasurer/Tax Collector	0	2	3
Purchasing	24	23	50

* Department of Human Services contract data was not available in the System.
**DTIS is working on an enhancement to the System to facilitate the Department of Public Health's unique encumbrances.

HRC evaluation of the number of encumbrances in the System show that, in general, compared to the last quarterly report, departments need to continue entering accurate contract information in the System on a consistent basis.

2. CLOSED CONTRACTS

For this quarterly report, DTIS extracted information from 700 contracts in the System that the departments have deemed "closed"[2]. This shows an increase of 126 closed contracts from the previous quarter. DTIS extracted closed contract information from nine major contracting departments. (See Appendix 4; note that closed contract information for PUC is broken down by its major contracting divisions) The data used to demonstrate departmental utilization of MBE and WBE firms was taken from three major contracting areas: Construction, Architecture/Engineering and Professional Services.

[2] September 1, 2001, Quarterly Report Supplement for Closed Contracts is available for review at HRC. A "closed" contract is one in which the department indicates that all contracting activity has been completed.

The closed contract information contains the breakdown of the dollars awarded, dollars paid and dollars allocated to MBEs and WBEs. For example, the San Francisco Port Commission has 142 closed contracts with an award amount and allocation value of $2,165,922. Those contracts have a total payment amount and allocation value of $2,011.951, of which 30.4% was allocated to MBEs and 2.8% to WBEs.

The summary of closed contract information for nine departments further show that the 700 closed contracts have a total award and allocation amount of $191,097,477. In addition, these contracts have a payment allocation value of $163,011,245 and a final payment amount of $181,286,172. MBEs received 23.0% of all payments allocated to primes and subcontractors. WBEs received 10.9% of all payments allocated to primes and subcontractors. (see Appendix 4)

III. CONCLUSION

Departments as a whole have made a substantial effort in entering accurate contracting information into the System and correcting and/or inputting outstanding information. As a result the City is able to more accurately gauge the City's utilization of MBEs and WBEs. Correspondingly, the number of closed contracts has doubled from the last quarter's increase. These closed contracts indicate how departments are actually performing in meeting their obligation to achieve the Mayor's goals. These contracts also show how a prime contractor is performing on their obligation to meet the MBE and WBE goals on a contract-by-contract basis. (See Supplement)

HRC encourages all City departments to improve their commitment to enter complete and accurate contracting data on a consistent basis, pursuant to their obligation under Chapter 12D.A.

APPENDIX 1

Airport Commission

Number of Prime Contracts

	Construction		A&E		Professional Services		Purchasing		Telecommunication		All Industries	
	Freq	Percent	Freq	Percent	Freq	Percent	Freq	Percent	Freq	Percent	Freq	Percent
Cert. African American	0	0.0%	0	0.0%	0	0.0%	15	0.2%	0	----	15	0.2%
Cert. Arab American	3	1.5%	0	0.0%	1	0.3%	3	0.0%	0	----	7	0.1%
Cert. Asian American	12	6.2%	0	0.0%	2	0.6%	44	0.7%	0	----	58	0.8%
Cert. Latino American	3	1 5%	0	0.0%	2	0.6%	3	0.0%	0	----	8	0.1%
Cert. Non-Minority	30	15.4%	0	0.0%	13	3.8%	272	4.1%	0	----	315	4.4%
Non-Minority	147	75.4%	7	100.0%	320	94.7%	6,266	94.9%	0	----	6,740	94 4%
Total	195	100.0%	7	100.0%	338	100.0%	6,603	100.0%	0	----	7,143	100.0%

Prime Award

	Construction		A&E		Professional Services		Purchasing		Telecommunication		All Industries	
	Award	Percent	Award	Percent	Award	Percent	Award	Percent	Award	Percent	Award	Percent
Cert. African American	$0	0.0%	$0	0.0%	$0	0.0%	$30,766	0.1%	$0	----	$30,766	0.0%
Cert. Arab American	$166,720	0.0%	$0	0.0%	$155,425	0.1%	$7,923	0.0%	$0	----	$330,068	0.1%
Cert. Asian American	$3,844,770	0.8%	$0	0.0%	$369,800	0.3%	$357,012	0.9%	$0	----	$4,571,582	0.7%
Cert. Latino American	$4,315,206	0.9%	$0	0.0%	$350,000	0.3%	$1,166	0.0%	$0	----	$4,666,372	0 7%
Cert. Non-Minority	$27,298,326	5.8%	$0	0.0%	$4,219,025	3.7%	$957,212	2.5%	$0	----	$32,474,562	5 2%
Non-Minority	$436,945,618	92.5%	$2,054,526	100 0%	$108,171,257	95.5%	$37,329,170	96 5%	$0	----	$584,500,571	93.3%
Total	$472,570,639	100.0%	$2,054,526	100.0%	$113,265,507	100.0%	$38,683,249	100.0%	$0	----	$626,573,921	100 0%

Prime Payment

	Construction		A&E		Professional Services		Purchasing		Telecommunication		All Industries	
	Payment	Percent	Payment	Percent	Payment	Percent	Payment	Percent	Payment	Percent	Payment	Percent
Cert. African American	$0	0.0%	$0	0.0%	$0	0.0%	$30,766	0.1%	$0	----	$30,766	0.0%
Cert. Arab American	$177,146	0.1%	$0	0.0%	$155,425	0.1%	$7,923	0.0%	$0	----	$340,495	0.1%
Cert. Asian American	$2,264,364	1.0%	$0	0.0%	$338,947	0.3%	$357,009	0.9%	$0	----	$2,960,321	0 7%
Cert. Latino American	$2,326,033	1.0%	$0	0.0%	$642,662	0.5%	$1,166	0.0%	$0	----	$2,969,861	0 7%
Cert. Non-Minority	$23,224,502	10.2%	$0	0.0%	$7,258,801	5.7%	$953,164	2.3%	$0	----	$31,436,467	7 9%
Non-Minority	$198,629,775	87.6%	$1,475,270	100.0%	$119,578,580	93.4%	$40,126,276	96.7%	$0	----	$359,809,900	90 5%
Total	$226,621,821	100.0%	$1,475,270	100.0%	$127,974,416	100.0%	$41,476,305	100.0%	$0	----	$397,547,811	100 0%

Airport Commission

Number of Sub Contracts

	Construction		A&E		Professional Services		Purchasing		Telecommunication		All Industries	
	Freq	Percent	Freq	Percent	Freq	Percent	Freq	Percent	Freq	Percent	Freq	Percent
Cert. African American	29	4.8%	1	3.4%	18	7.3%	0	----	0	----	48	5 5%
Cert Arab American	0	0.0%	0	0.0%	0	0.0%	0	----	0	----	0	0 0%
Cert. Asian American	84	14.0%	5	17.2%	32	12.9%	0	----	0	----	121	13.8%
Cert. Latino American	44	7.3%	0	0.0%	4	1.6%	0	----	0	----	48	5.5%
Cert. Non-Minority	91	15.1%	3	10.3%	37	14.9%	0	----	0	----	131	14 9%
Non-Minority	354	58.8%	20	69.0%	157	63.3%	0	----	0	----	531	60.4%
Total	602	100.0%	29	100.0%	248	100.0%	0	----	0	----	879	100 0%

Sub Award

	Construction		A&E		Professional Services		Purchasing		Telecommunication		All Industries	
	Award	Percent	Award	Percent	Award	Percent	Award	Percent	Award	Percent	Award	Percent
Cert. African American	$7,813,243	4.1%	$0	0.0%	$1,005,216	10.1%	$0	----	$0	----	$8,818,459	4 4%
Cert. Arab American	$0	0.0%	$0	0.0%	$0	0.0%	$0	----	$0	----	$0	0.0%
Cert. Asian American	$19,572,828	10.3%	$173,930	25.8%	$1,294,967	13.0%	$0	----	$0	----	$21,041,725	10 5%
Cert. Latino American	$18,244,414	9.6%	$0	0.0%	$524,769	5.3%	$0	----	$0	----	$18,769,183	9.3%
Cert. Non-Minority	$18,678,750	9.8%	$70,000	10.4%	$972,237	9.8%	$0	----	$0	----	$19,720,987	9 8%
Non-Minority	$126,332,889	66.3%	$430,362	63.8%	$6,174,312	61.9%	$0	----	$0	----	$132,937,563	66 0%
Total	$190,642,124	100.0%	$674,292	100.0%	$9,971,501	100.0%	$0	----	$0	----	$201,287,917	100.0%

Sub Payment

	Construction		A&E		Professional Services		Purchasing		Telecommunication		All Industries	
	Payment	Percent	Payment	Percent	Payment	Percent	Payment	Percent	Payment	Percent	Payment	Percent
Cert. African American	$4,886,940	4.9%	$3,506	0.9%	$839,616	6.8%	$0	----	$0	----	$5,730,062	5.1%
Cert. Arab American	$0	0.0%	$0	0.0%	$0	0.0%	$0	----	$0	----	$0	0 0%
Cert. Asian American	$15,862,308	16.0%	$33,639	8.7%	$1,222,373	9.9%	$0	----	$0	----	$17,118,320	15 3%
Cert. Latino American	$11,150,787	11.2%	$0	0.0%	$199,751	1.6%	$0	----	$0	----	$11,350,538	10.1%
Cert. Non-Minority	$10,934,243	11.0%	$19,800	5.1%	$872,854	7.1%	$0	----	$0	----	$11,826,897	10 6%
Non-Minority	$56,463,107	56.9%	$330,784	85.3%	$9,168,840	74 5%	$0	----	$0	----	$65,962,731	58 9%
Total	$99,297,385	100.0%	$387,728	100.0%	$12,303,434	100.0%	$0	----	$0	----	$111,988,547	100.0%

Office of the City Attorney

Number of Prime Contracts

	Construction		A&E		Professional Services		Purchasing		Telecommunication		All Industries	
	Freq	Percent	Freq	Percent	Freq	Percent	Freq	Percent	Freq	Percent	Freq	Percent
Cert. African American	0	----	0	----	0	0.0%	1	0.1%	0	----	1	0.1%
Cert. Arab American	0	----	0	----	0	0.0%	0	0.0%	0	----	0	0.0%
Cert. Asian American	0	----	0	----	0	0.0%	1	0.1%	0	----	1	0.1%
Cert. Latino American	0	----	0	----	0	0.0%	1	0.1%	0	----	1	0.1%
Cert. Non-Minority	0	----	0	----	1	4.5%	12	1.7%	0	----	13	1.7%
Non-Minority	0	----	0	----	21	95.5%	708	97.9%	0	----	729	97.9%
Total	0	----	0	----	22	100.0%	723	100.0%	0	----	745	100.0%

Prime Award

	Construction		A&E		Professional Services		Purchasing		Telecommunication		All Industries	
	Award	Percent	Award	Percent	Award	Percent	Award	Percent	Award	Percent	Award	Percent
Cert. African American	$0	----	$0	----	$0	0.0%	$4,480	0.2%	$0	----	$4,480	0.2%
Cert. Arab American	$0	----	$0	----	$0	0.0%	$0	0.0%	$0	----	$0	0.0%
Cert. Asian American	$0	----	$0	----	$0	0.0%	$3,825	0.2%	$0	----	$3,825	0.2%
Cert. Latino American	$0	----	$0	----	$0	0.0%	$8,234	0.4%	$0	----	$8,234	0.4%
Cert. Non-Minority	$0	----	$0	----	$45	0.0%	$52,611	2.7%	$0	----	$52,656	2.5%
Non-Minority	$0	----	$0	----	$123,438	100.0%	$1,884,189	96.5%	$0	----	$2,007,627	96.7%
Total	$0	----	$0	----	$123,483	100.0%	$1,953,340	100.0%	$0	----	$2,076,823	100.0%

Prime Payment

	Construction		A&E		Professional Services		Purchasing		Telecommunication		All Industries	
	Payment	Percent	Payment	Percent	Payment	Percent	Payment	Percent	Payment	Percent	Payment	Percent
Cert. African American	$0	----	$0	----	$0	0.0%	$4,480	0.2%	$0	----	$4,480	0.2%
Cert. Arab American	$0	----	$0	----	$0	0.0%	$0	0.0%	$0	----	$0	0.0%
Cert. Asian American	$0	----	$0	----	$0	0.0%	$3,825	0.2%	$0	----	$3,825	0.2%
Cert. Latino American	$0	----	$0	----	$0	0.0%	$8,234	0.4%	$0	----	$8,234	0.4%
Cert. Non-Minority	$0	----	$0	----	$45	0.0%	$52,611	2.7%	$0	----	$52,656	2.5%
Non-Minority	$0	----	$0	----	$123,438	100.0%	$1,884,189	96.5%	$0	----	$2,007,627	96.7%
Total	$0	----	$0	----	$123,483	100.0%	$1,953,340	100.0%	$0	----	$2,076,823	100.0%

Office of the City Attorney

Number of Sub Contracts

	Construction		A&E		Professional Services		Purchasing		Telecommunication		All Industries	
	Freq	Percent	Freq	Percent	Freq	Percent	Freq	Percent	Freq	Percent	Freq	Percent
Cert. African American	0	----	0	----	0	----	0	----	0	----	0	----
Cert. Arab American	0	----	0	----	0	----	0	----	0	----	0	----
Cert. Asian American	0	----	0	----	0	----	0	----	0	----	0	----
Cert. Latino American	0	----	0	----	0	----	0	----	0	----	0	----
Cert. Non-Minority	0	----	0	----	0	----	0	----	0	----	0	----
Non-Minority	0	----	0	----	0	----	0	----	0	----	0	----
Total	0	----	0	----	0	----	0	----	0	----	0	----

Sub Award

	Construction		A&E		Professional Services		Purchasing		Telecommunication		All Industries	
	Award	Percent	Award	Percent	Award	Percent	Award	Percent	Award	Percent	Award	Percent
Cert. African American	$0	----	$0	----	$0	----	$0	----	$0	----	$0	----
Cert. Arab American	$0	----	$0	----	$0	----	$0	----	$0	----	$0	----
Cert. Asian American	$0	----	$0	----	$0	----	$0	----	$0	----	$0	----
Cert. Latino American	$0	----	$0	----	$0	----	$0	----	$0	----	$0	----
Cert. Non-Minority	$0	----	$0	----	$0	----	$0	----	$0	----	$0	----
Non-Minority	$0	----	$0	----	$0	----	$0	----	$0	----	$0	----
Total	$0	----	$0	----	$0	----	$0	----	$0	----	$0	----

Sub Payment

	Construction		A&E		Professional Services		Purchasing		Telecommunication		All Industries	
	Payment	Percent	Payment	Percent	Payment	Percent	Payment	Percent	Payment	Percent	Payment	Percent
Cert. African American	$0	----	$0	----	$0	----	$0	----	$0	----	$0	----
Cert. Arab American	$0	----	$0	----	$0	----	$0	----	$0	----	$0	----
Cert. Asian American	$0	----	$0	----	$0	----	$0	----	$0	----	$0	----
Cert. Latino American	$0	----	$0	----	$0	----	$0	----	$0	----	$0	----
Cert. Non-Minority	$0	----	$0	----	$0	----	$0	----	$0	----	$0	----
Non-Minority	$0	----	$0	----	$0	----	$0	----	$0	----	$0	----
Total	$0	----	$0	----	$0	----	$0	----	$0	----	$0	----

Department of Human Resources

Number of Prime Contracts

	Construction		A&E		Professional Services		Purchasing		Telecommunication		All Industries	
	Freq	Percent	Freq	Percent	Freq	Percent	Freq	Percent	Freq	Percent	Freq	Percent
Cert. African American	0	----	0	----	0	0.0%	1	0.1%	0	----	1	0.1%
Cert. Arab American	0	----	0	----	0	0.0%	0	0.0%	0	----	0	0.0%
Cert. Asian American	0	----	0	----	0	0.0%	1	0.1%	0	----	1	0.1%
Cert. Latino American	0	----	0	----	0	0.0%	3	0.2%	0	----	3	0.2%
Cert. Non-Minority	0	----	0	----	0	0.0%	50	3.8%	0	----	50	3.7%
Non-Minority	0	----	0	----	47	100.0%	1,254	95.8%	0	----	1,301	95.9%
Total	0	----	0	----	47	100.0%	1,309	100.0%	0	----	1,356	100.0%

Prime Award

	Construction		A&E		Professional Services		Purchasing		Telecommunication		All Industries	
	Award	Percent	Award	Percent	Award	Percent	Award	Percent	Award	Percent	Award	Percent
Cert. African American	$0	----	$0	----	$0	0.0%	$1,190	0.1%	$0	----	$1,190	0.0%
Cert. Arab American	$0	----	$0	----	$0	0.0%	$0	0.0%	$0	----	$0	0.0%
Cert. Asian American	$0	----	$0	----	$0	0.0%	$4,774	0.2%	$0	----	$4,774	0.1%
Cert. Latino American	$0	----	$0	----	$0	0.0%	$1,192	0.1%	$0	----	$1,192	0.0%
Cert. Non-Minority	$0	----	$0	----	$0	0.0%	$28,543	1.2%	$0	----	$28,543	0.5%
Non-Minority	$0	----	$0	----	$3,439,316	100.0%	$2,256,818	98.4%	$0	----	$5,696,133	99.4%
Total	$0	----	$0	----	$3,439,316	100.0%	$2,292,517	100.0%	$0	----	$5,731,832	100.0%

Prime Payment

	Construction		A&E		Professional Services		Purchasing		Telecommunication		All Industries	
	Payment	Percent	Payment	Percent	Payment	Percent	Payment	Percent	Payment	Percent	Payment	Percent
Cert. African American	$0	----	$0	----	$0	0.0%	$1,190	0.1%	$0	----	$1,190	0.0%
Cert. Arab American	$0	----	$0	----	$0	0.0%	$0	0.0%	$0	----	$0	0.0%
Cert. Asian American	$0	----	$0	----	$0	0.0%	$4,774	0.2%	$0	----	$4,774	0.0%
Cert. Latino American	$0	----	$0	----	$0	0.0%	$1,192	0.1%	$0	----	$1,192	0.0%
Cert. Non-Minority	$0	----	$0	----	$0	0.0%	$28,207	1.2%	$0	----	$28,207	0.1%
Non-Minority	$0	----	$0	----	$22,108,826	100.0%	$2,242,597	98.4%	$0	----	$24,351,423	99.9%
Total	$0	----	$0	----	$22,108,826	100.0%	$2,277,960	100.0%	$0	----	$24,386,786	100.0%

Department of Human Resources

Number of Sub Contracts

	Construction		A&E		Professional Services		Purchasing		Telecommunication		All Industries	
	Freq	Percent	Freq	Percent	Freq	Percent	Freq	Percent	Freq	Percent	Freq	Percent
Cert. African American	0	----	0	----	0	----	0	----	0	----	0	----
Cert. Arab American	0	----	0	----	0	----	0	----	0	----	0	----
Cert. Asian American	0	----	0	----	0	----	0	----	0	----	0	----
Cert. Latino American	0	----	0	----	0	----	0	----	0	----	0	----
Cert. Non-Minority	0	----	0	----	0	----	0	----	0	----	0	----
Non-Minority	0	----	0	----	0	----	0	----	0	----	0	----
Total	0	----	0	----	0	----	0	----	0	----	0	----

Sub Award

	Construction		A&E		Professional Services		Purchasing		Telecommunication		All Industries	
	Award	Percent	Award	Percent	Award	Percent	Award	Percent	Award	Percent	Award	Percent
Cert. African American	$0	----	$0	----	$0	----	$0	----	$0	----	$0	----
Cert. Arab American	$0	----	$0	----	$0	----	$0	----	$0	----	$0	----
Cert. Asian American	$0	----	$0	----	$0	----	$0	----	$0	----	$0	----
Cert. Latino American	$0	----	$0	----	$0	----	$0	----	$0	----	$0	----
Cert. Non-Minority	$0	----	$0	----	$0	----	$0	----	$0	----	$0	----
Non-Minority	$0	----	$0	----	$0	----	$0	----	$0	----	$0	----
Total	$0	----	$0	----	$0	----	$0	----	$0	----	$0	----

Sub Payment

	Construction		A&E		Professional Services		Purchasing		Telecommunication		All Industries	
	Payment	Percent	Payment	Percent	Payment	Percent	Payment	Percent	Payment	Percent	Payment	Percent
Cert. African American	$0	----	$0	----	$0	----	$0	----	$0	----	$0	----
Cert. Arab American	$0	----	$0	----	$0	----	$0	----	$0	----	$0	----
Cert. Asian American	$0	----	$0	----	$0	----	$0	----	$0	----	$0	----
Cert. Latino American	$0	----	$0	----	$0	----	$0	----	$0	----	$0	----
Cert. Non-Minority	$0	----	$0	----	$0	----	$0	----	$0	----	$0	----
Non-Minority	$0	----	$0	----	$0	----	$0	----	$0	----	$0	----
Total	$0	----	$0	----	$0	----	$0	----	$0	----	$0	----

Department of Human Services

Number of Prime Contracts

	Construction		A&E		Professional Services		Purchasing		Telecommunication		All Industries	
	Freq	Percent	Freq	Percent	Freq	Percent	Freq	Percent	Freq	Percent	Freq	Percent
Cert. African American	0	----	0	0.0%	1	0.5%	320	11.6%	0	----	321	10 8%
Cert. Arab American	0	----	0	0.0%	0	0.0%	0	0.0%	0	----	0	0.0%
Cert. Asian American	0	----	0	0.0%	5	2.3%	7	0.3%	0	----	12	0 4%
Cert. Latino American	0	----	1	100.0%	0	0.0%	4	0.1%	0	----	5	0.2%
Cert. Non-Minority	0	----	0	0.0%	5	2.3%	102	3.7%	0	----	107	3.6%
Non-Minority	0	----	0	0.0%	208	95.0%	2,320	84.3%	0	----	2,528	85.0%
Total	0	----	1	100.0%	219	100.0%	2,753	100.0%	0	----	2,973	100.0%

Prime Award

	Construction		A&E		Professional Services		Purchasing		Telecommunication		All Industries	
	Award	Percent	Award	Percent	Award	Percent	Award	Percent	Award	Percent	Award	Percent
Cert. African American	$0	----	$0	0.0%	$4,160	0.2%	$401,764	5.3%	$0	----	$405,924	4.3%
Cert. Arab American	$0	----	$0	0.0%	$0	0.0%	$0	0.0%	$0	----	$0	0 0%
Cert. Asian American	$0	----	$0	0.0%	$7,934	0.4%	$17,661	0.2%	$0	----	$25,595	0.3%
Cert. Latino American	$0	----	$2,985	100.0%	$0	0.0%	$317,507	4.2%	$0	----	$320,492	3.4%
Cert. Non-Minority	$0	----	$0	0.0%	$5,060	0.3%	$230,118	3.0%	$0	----	$235,178	2.5%
Non-Minority	$0	----	$0	0.0%	$1,806,097	99 1%	$6,642,069	87.3%	$0	----	$8,448,165	89 5%
Total	$0	----	$2,985	100.0%	$1,823,250	100.0%	$7,609,118	100.0%	$0	----	$9,435,354	100.0%

Prime Payment

	Construction		A&E		Professional Services		Purchasing		Telecommunication		All Industries	
	Payment	Percent	Payment	Percent	Payment	Percent	Payment	Percent	Payment	Percent	Payment	Percent
Cert. African American	$0	----	$0	0.0%	$4,160	0.0%	$383,935	5.2%	$0	----	$388,095	1 6%
Cert. Arab American	$0	----	$0	0.0%	$0	0.0%	$0	0.0%	$0	----	$0	0 0%
Cert. Asian American	$0	----	$0	0.0%	$124,326	0.7%	$17,661	0.2%	$0	----	$141,988	0 6%
Cert. Latino American	$0	----	$2,985	100.0%	$0	0.0%	$317,507	4.3%	$0	----	$320,492	1.3%
Cert. Non-Minority	$0	----	$0	0.0%	$111,701	0.7%	$222,802	3.0%	$0	----	$334,503	1 4%
Non-Minority	$0	----	$0	0.0%	$16,518,278	98.6%	$6,488,028	87.3%	$0	----	$23,006,306	95.1%
Total	$0	----	$2,985	100.0%	$16,758,466	100.0%	$7,429,933	100.0%	$0	----	$24,191,385	100 0%

Department of Human Services

Number of Sub Contracts

	Construction		A&E		Professional Services		Purchasing		Telecommunication		All Industries	
	Freq	Percent	Freq	Percent	Freq	Percent	Freq	Percent	Freq	Percent	Freq	Percent
Cert. African American	0	----	0	----	0	----	0	----	0	----	0	----
Cert. Arab American	0	----	0	----	0	----	0	----	0	----	0	----
Cert. Asian American	0	----	0	----	0	----	0	----	0	----	0	----
Cert. Latino American	0	----	0	----	0	----	0	----	0	----	0	----
Cert. Non-Minority	0	----	0	----	0	----	0	----	0	----	0	----
Non-Minority	0	----	0	----	0	----	0	----	0	----	0	----
Total	0	----	0	----	0	----	0	----	0	----	0	----

Sub Award

	Construction		A&E		Professional Services		Purchasing		Telecommunication		All Industries	
	Award	Percent	Award	Percent	Award	Percent	Award	Percent	Award	Percent	Award	Percent
Cert. African American	$0	----	$0	----	$0	----	$0	----	$0	----	$0	----
Cert. Arab American	$0	----	$0	----	$0	----	$0	----	$0	----	$0	----
Cert. Asian American	$0	----	$0	----	$0	----	$0	----	$0	----	$0	----
Cert. Latino American	$0	----	$0	----	$0	----	$0	----	$0	----	$0	----
Cert. Non-Minority	$0	----	$0	----	$0	----	$0	----	$0	----	$0	----
Non-Minority	$0	----	$0	----	$0	----	$0	----	$0	----	$0	----
Total	$0	----	$0	----	$0	----	$0	----	$0	----	$0	----

Sub Payment

	Construction		A&E		Professional Services		Purchasing		Telecommunication		All Industries	
	Payment	Percent	Payment	Percent	Payment	Percent	Payment	Percent	Payment	Percent	Payment	Percent
Cert. African American	$0	----	$0	----	$0	----	$0	----	$0	----	$0	----
Cert. Arab American	$0	----	$0	----	$0	----	$0	----	$0	----	$0	----
Cert. Asian American	$0	----	$0	----	$0	----	$0	----	$0	----	$0	----
Cert. Latino American	$0	----	$0	----	$0	----	$0	----	$0	----	$0	----
Cert. Non-Minority	$0	----	$0	----	$0	----	$0	----	$0	----	$0	----
Non-Minority	$0	----	$0	----	$0	----	$0	----	$0	----	$0	----
Total	$0	----	$0	----	$0	----	$0	----	$0	----	$0	----

Parking and Traffic Commission

Number of Prime Contracts

	Construction		A&E		Professional Services		Purchasing		Telecommunication		All Industries	
	Freq	Percent	Freq	Percent	Freq	Percent	Freq	Percent	Freq	Percent	Freq	Percent
Cert. African American	0	0.0%	0	0.0%	0	0.0%	9	0.2%	0	----	9	0 2%
Cert. Arab American	0	0.0%	0	0.0%	0	0.0%	8	0.2%	0	----	8	0.2%
Cert. Asian American	0	0.0%	0	0.0%	0	0.0%	17	0.4%	0	----	17	0 4%
Cert. Latino American	0	0.0%	0	0.0%	0	0.0%	11	0.2%	0	----	11	0 2%
Cert. Non-Minority	0	0.0%	0	0.0%	3	20.0%	277	6.2%	0	----	280	6.3%
Non-Minority	1	100.0%	1	100.0%	12	80.0%	4,117	92.7%	0	----	4,131	92 7%
Total	1	100.0%	1	100.0%	15	100.0%	4,439	100.0%	0	----	4,456	100.0%

Prime Award

	Construction		A&E		Professional Services		Purchasing		Telecommunication		All Industries	
	Award	Percent	Award	Percent	Award	Percent	Award	Percent	Award	Percent	Award	Percent
Cert. African American	$0	0.0%	$0	0.0%	$0	0.0%	$11,659	0.4%	$0	----	$11,659	0 0%
Cert. Arab American	$0	0.0%	$0	0.0%	$0	0.0%	$6,795	0.3%	$0	----	$6,795	0 0%
Cert. Asian American	$0	0.0%	$0	0.0%	$0	0.0%	$3,523	0.1%	$0	----	$3,523	0.0%
Cert. Latino American	$0	0.0%	$0	0.0%	$0	0.0%	$7,919	0.3%	$0	----	$7,919	0.0%
Cert. Non-Minority	$0	0.0%	$0	0.0%	$9,126,000	18.9%	$172,300	6.5%	$0	----	$9,298,300	18.3%
Non-Minority	$4,899	100.0%	$8,264	100.0%	$39,144,945	81.1%	$2,457,119	92.4%	$0	----	$41,615,227	81.7%
Total	$4,899	100.0%	$8,264	100.0%	$48,270,945	100.0%	$2,659,316	100.0%	$0	----	$50,943,424	100.0%

Prime Payment

	Construction		A&E		Professional Services		Purchasing		Telecommunication		All Industries	
	Payment	Percent	Payment	Percent	Payment	Percent	Payment	Percent	Payment	Percent	Payment	Percent
Cert. African American	$0	0.0%	$0	0.0%	$0	0.0%	$9,926	0.4%	$0	----	$9,926	0.0%
Cert. Arab American	$0	0.0%	$0	0.0%	$0	0.0%	$6,795	0.3%	$0	----	$6,795	0 0%
Cert. Asian American	$0	0.0%	$0	0.0%	$0	0.0%	$3,523	0.1%	$0	----	$3,523	0.0%
Cert. Latino American	$0	0.0%	$0	0.0%	$0	0.0%	$7,919	0.3%	$0	----	$7,919	0 0%
Cert. Non-Minority	$0	0.0%	$0	0.0%	$332,742	1.3%	$172,144	6.6%	$0	----	$504,886	1 8%
Non-Minority	$4,899	100.0%	$8,264	100.0%	$24,985,938	98.7%	$2,411,941	92.3%	$0	----	$27,411,042	98 1%
Total	$4,899	100.0%	$8,264	100.0%	$25,318,681	100.0%	$2,612,248	100.0%	$0	----	$27,944,091	100 0%

Parking and Traffic Commission

Number of Sub Contracts

	Construction		A&E		Professional Services		Purchasing		Telecommunication		All Industries	
	Freq	Percent	Freq	Percent	Freq	Percent	Freq	Percent	Freq	Percent	Freq	Percent
Cert. African American	0	----	0	----	0	0.0%	0	----	0	----	0	0.0%
Cert. Arab American	0	----	0	----	0	0.0%	0	----	0	----	0	0.0%
Cert. Asian American	0	----	0	----	0	0.0%	0	----	0	----	0	0.0%
Cert. Latino American	0	----	0	----	0	0.0%	0	----	0	----	0	0.0%
Cert. Non-Minority	0	----	0	----	0	0.0%	0	----	0	----	0	0.0%
Non-Minority	0	----	0	----	4	100.0%	0	----	0	----	4	100.0%
Total	0	----	0	----	4	100.0%	0	----	0	----	4	100.0%

Sub Award

	Construction		A&E		Professional Services		Purchasing		Telecommunication		All Industries	
	Award	Percent	Award	Percent	Award	Percent	Award	Percent	Award	Percent	Award	Percent
Cert. African American	$0	----	$0	----	$0	0.0%	$0	----	$0	----	$0	0.0%
Cert. Arab American	$0	----	$0	----	$0	0.0%	$0	----	$0	----	$0	0.0%
Cert. Asian American	$0	----	$0	----	$0	0.0%	$0	----	$0	----	$0	0.0%
Cert. Latino American	$0	----	$0	----	$0	0.0%	$0	----	$0	----	$0	0.0%
Cert. Non-Minority	$0	----	$0	----	$0	0.0%	$0	----	$0	----	$0	0.0%
Non-Minority	$0	----	$0	----	$1,452,699	100.0%	$0	----	$0	----	$1,452,699	100.0%
Total	$0	----	$0	----	$1,452,699	100.0%	$0	----	$0	----	$1,452,699	100.0%

Sub Payment

	Construction		A&E		Professional Services		Purchasing		Telecommunication		All Industries	
	Payment	Percent	Payment	Percent	Payment	Percent	Payment	Percent	Payment	Percent	Payment	Percent
Cert. African American	$0	----	$0	----	$0	----	$0	----	$0	----	$0	----
Cert. Arab American	$0	----	$0	----	$0	----	$0	----	$0	----	$0	----
Cert. Asian American	$0	----	$0	----	$0	----	$0	----	$0	----	$0	----
Cert. Latino American	$0	----	$0	----	$0	----	$0	----	$0	----	$0	----
Cert. Non-Minority	$0	----	$0	----	$0	----	$0	----	$0	----	$0	----
Non-Minority	$0	----	$0	----	$0	----	$0	----	$0	----	$0	----
Total	$0	----	$0	----	$0	----	$0	----	$0	----	$0	----

Port

Number of Prime Contracts

	Construction		A&E		Professional Services		Purchasing		Telecommunication		All Industries	
	Freq	Percent	Freq	Percent	Freq	Percent	Freq	Percent	Freq	Percent	Freq	Percent
Cert. African American	3	8.6%	0	0.0%	1	0.6%	114	1.1%	0	0.0%	118	1.1%
Cert. Arab American	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%
Cert. Asian American	5	14.3%	2	28.6%	9	5.6%	124	1.2%	0	0.0%	140	1.3%
Cert. Latino American	1	2.9%	0	0.0%	1	0.6%	135	1.3%	0	0.0%	137	1.3%
Cert. Non-Minority	7	20.0%	0	0.0%	15	9.3%	633	6.1%	0	0.0%	655	6.2%
Non-Minority	19	54.3%	5	71.4%	135	83.9%	9,429	90.4%	1	100.0%	9,589	90 1%
Total	35	100.0%	7	100.0%	161	100.0%	10,435	100.0%	1	100.0%	10,639	100.0%

Prime Award

	Construction		A&E		Professional Services		Purchasing		Telecommunication		All Industries	
	Award	Percent	Award	Percent	Award	Percent	Award	Percent	Award	Percent	Award	Percent
Cert. African American	$2,041,230	6.7%	$0	0.0%	$9,500	0.3%	$35,405	0.3%	$0	0.0%	$2,086,135	4.5%
Cert. Arab American	$0	0.0%	$0	0.0%	$0	0.0%	$0	0.0%	$0	0.0%	$0	0.0%
Cert. Asian American	$993,212	3.3%	$434	0.5%	$312,019	9.8%	$84,517	0.7%	$0	0.0%	$1,390,181	3.0%
Cert. Latino American	$2,114,344	6.9%	$0	0.0%	$32,853	1.0%	$44,063	0.4%	$0	0.0%	$2,191,260	4.8%
Cert. Non-Minority	$13,792,616	45.2%	$0	0.0%	$445,327	13.9%	$218,547	1.8%	$0	0.0%	$14,456,491	31.4%
Non-Minority	$11,552,775	37.9%	$87,344	99.5%	$2,396,967	75.0%	$11,921,124	96.9%	$3,600	100.0%	$25,961,810	56.3%
Total	$30,494,177	100.0%	$87,777	100.0%	$3,196,666	100.0%	$12,303,657	100.0%	$3,600	100.0%	$46,085,877	100.0%

Prime Payment

	Construction		A&E		Professional Services		Purchasing		Telecommunication		All Industries	
	Payment	Percent	Payment	Percent	Payment	Percent	Payment	Percent	Payment	Percent	Payment	Percent
Cert. African American	$2,122,637	8.4%	$0	0.0%	$9,495	0.4%	$35,405	0.3%	$0	----	$2,167,537	5 2%
Cert. Arab American	$0	0.0%	$0	0.0%	$0	0.0%	$0	0.0%	$0	----	$0	0.0%
Cert. Asian American	$589,377	2.3%	$0	0.0%	$330,956	12.7%	$93,727	0.7%	$0	----	$1,014,060	2.4%
Cert. Latino American	$2,371,747	9.3%	$0	0.0%	$32,853	1.3%	$44,063	0.3%	$0	----	$2,448,663	5.8%
Cert. Non-Minority	$11,592,605	45.6%	$0	0.0%	$319,742	12.2%	$244,538	1.8%	$0	----	$12,156,885	29.0%
Non-Minority	$8,741,219	34.4%	$86,842	100.0%	$1,922,772	73.5%	$13,415,313	97.0%	$0	----	$24,166,146	57 6%
Total	$25,417,585	100.0%	$86,842	100.0%	$2,615,817	100.0%	$13,833,046	100.0%	$0	----	$41,953,290	100 0%

Port

Number of Sub Contracts

	Construction		A&E		Professional Services		Purchasing		Telecommunication		All Industries	
	Freq	Percent	Freq	Percent	Freq	Percent	Freq	Percent	Freq	Percent	Freq	Percent
Cert. African American	11	13.3%	0	----	5	11.1%	0	----	0	----	16	12.5%
Cert. Arab American	0	0.0%	0	----	0	0.0%	0	----	0	----	0	0 0%
Cert. Asian American	6	7.2%	0	----	3	6.7%	0	----	0	----	9	7.0%
Cert. Latino American	9	10.8%	0	----	0	0.0%	0	----	0	----	9	7.0%
Cert. Non-Minority	21	25.3%	0	----	7	15.6%	0	----	0	----	28	21 9%
Non-Minority	36	43.4%	0	----	30	66.7%	0	----	0	----	66	51 6%
Total	83	100.0%	0	----	45	100.0%	0	----	0	----	128	100.0%

Sub Award

	Construction		A&E		Professional Services		Purchasing		Telecommunication		All Industries	
	Award	Percent	Award	Percent	Award	Percent	Award	Percent	Award	Percent	Award	Percent
Cert. African American	$785,674	7.9%	$0	----	$38,476	11.4%	$0	----	$0	----	$824,149	8.1%
Cert. Arab American	$0	0.0%	$0	----	$0	0.0%	$0	----	$0	----	$0	0.0%
Cert. Asian American	$698,667	7.1%	$0	----	$15,000	4.4%	$0	----	$0	----	$713,667	7.0%
Cert. Latino American	$2,264,000	22.9%	$0	----	$0	0.0%	$0	----	$0	----	$2,264,000	22.1%
Cert. Non-Minority	$1,284,217	13.0%	$0	----	$57,462	17.0%	$0	----	$0	----	$1,341,679	13.1%
Non-Minority	$4,861,140	49.1%	$0	----	$227,236	67.2%	$0	----	$0	----	$5,088,376	49 7%
Total	$9,893,697	100.0%	$0	----	$338,173	100.0%	$0	----	$0	----	$10,231,870	100.0%

Sub Payment

	Construction		A&E		Professional Services		Purchasing		Telecommunication		All Industries	
	Payment	Percent	Payment	Percent	Payment	Percent	Payment	Percent	Payment	Percent	Payment	Percent
Cert. African American	$253,235	2.5%	$0	----	$6,830	1.9%	$0	----	$0	----	$260,065	2 5%
Cert. Arab American	$0	0.0%	$0	----	$0	0.0%	$0	----	$0	----	$0	0 0%
Cert. Asian American	$496,702	4.9%	$0	----	$14,605	4.1%	$0	----	$0	----	$511,306	4.9%
Cert. Latino American	$375,820	3.7%	$0	----	$0	0.0%	$0	----	$0	----	$375,820	3.6%
Cert. Non-Minority	$994,307	9.8%	$0	----	$27,806	7.7%	$0	----	$0	----	$1,022,113	9.7%
Non-Minority	$8,056,251	79.2%	$0	----	$310,359	86.3%	$0	----	$0	----	$8,366,610	79 4%
Total	$10,176,314	100.0%	$0	----	$359,600	100.0%	$0	----	$0	----	$10,535,914	100 0%

Department of Public Health

Number of Prime Contracts

	Construction		A&E		Professional Services		Purchasing		Telecommunication		All Industries	
	Freq	Percent	Freq	Percent	Freq	Percent	Freq	Percent	Freq	Percent	Freq	Percent
Cert. African American	0	0.0%	0	----	1	0.1%	141	0.6%	0	----	142	0.6%
Cert. Arab American	0	0.0%	0	----	0	0.0%	0	0.0%	0	----	0	0 0%
Cert. Asian American	0	0.0%	0	----	8	0.7%	819	3.6%	0	----	827	3.5%
Cert. Latino American	0	0.0%	0	----	3	0.3%	79	0.3%	0	----	82	0.3%
Cert. Non-Minority	1	50.0%	0	----	27	2.5%	600	2.6%	0	----	628	2.6%
Non-Minority	1	50.0%	0	----	1,045	96.4%	21,210	92.8%	0	----	22,256	93 0%
Total	2	100.0%	0	----	1,084	100.0%	22,849	100.0%	0	----	23,935	100.0%

Prime Award

	Construction		A&E		Professional Services		Purchasing		Telecommunication		All Industries	
	Award	Percent	Award	Percent	Award	Percent	Award	Percent	Award	Percent	Award	Percent
Cert. African American	$0	0.0%	$0	----	$30,000	0.2%	$205,688	0.4%	$0	----	$235,688	0.4%
Cert. Arab American	$0	0.0%	$0	----	$0	0.0%	$0	0.0%	$0	----	$0	0.0%
Cert. Asian American	$0	0.0%	$0	----	$418,128	3.2%	$1,443,613	3.0%	$0	----	$1,861,742	3.0%
Cert. Latino American	$0	0.0%	$0	----	$0	0.0%	$385,536	0.8%	$0	----	$385,536	0 6%
Cert. Non-Minority	$1,000	35.8%	$0	----	$395,095	3.1%	$1,308,839	2.7%	$0	----	$1,704,933	2.8%
Non-Minority	$1,794	64.2%	$0	----	$12,102,372	93.5%	$44,858,747	93.1%	$0	----	$56,962,913	93 2%
Total	$2,794	100.0%	$0	----	$12,945,595	100.0%	$48,202,423	100.0%	$0	----	$61,150,812	100 0%

Prime Payment

	Construction		A&E		Professional Services		Purchasing		Telecommunication		All Industries	
	Payment	Percent	Payment	Percent	Payment	Percent	Payment	Percent	Payment	Percent	Payment	Percent
Cert. African American	$0	0.0%	$0	----	$5,971	0 0%	$205,300	0.4%	$0	----	$211,270	0 1%
Cert. Arab American	$0	0.0%	$0	----	$0	0.0%	$0	0.0%	$0	----	$0	0.0%
Cert. Asian American	$0	0.0%	$0	----	$834,825	0.8%	$1,395,542	2.9%	$0	----	$2,230,368	1.5%
Cert. Latino American	$0	0.0%	$0	----	$229,353	0.2%	$381,907	0.8%	$0	----	$611,260	0.4%
Cert. Non-Minority	$1,000	35.8%	$0	----	$13,792,348	13.1%	$1,289,361	2.7%	$0	----	$15,082,709	9 9%
Non-Minority	$1,794	64.2%	$0	----	$90,783,879	85.9%	$44,106,832	93.1%	$0	----	$134,892,505	88 1%
Total	$2,794	100.0%	$0	----	$105,646,376	100.0%	$47,378,943	100.0%	$0	----	$153,028,113	100 0%

Department of Public Health

Number of Sub Contracts

	Construction		A&E		Professional Services		Purchasing		Telecommunication		All Industries	
	Freq	Percent	Freq	Percent	Freq	Percent	Freq	Percent	Freq	Percent	Freq	Percent
Cert. African American	0	----	0	----	0	0.0%	0	----	0	----	0	0.0%
Cert. Arab American	0	----	0	----	0	0.0%	0	----	0	----	0	0.0%
Cert. Asian American	0	----	0	----	1	20.0%	0	----	0	----	1	20.0%
Cert. Latino American	0	----	0	----	0	0.0%	0	----	0	----	0	0.0%
Cert. Non-Minority	0	----	0	----	1	20.0%	0	----	0	----	1	20.0%
Non-Minority	0	----	0	----	3	60.0%	0	----	0	----	3	60.0%
Total	0	----	0	----	5	100.0%	0	----	0	----	5	100.0%

Sub Award

	Construction		A&E		Professional Services		Purchasing		Telecommunication		All Industries	
	Award	Percent	Award	Percent	Award	Percent	Award	Percent	Award	Percent	Award	Percent
Cert. African American	$0	----	$0	----	$0	0.0%	$0	----	$0	----	$0	0.0%
Cert. Arab American	$0	----	$0	----	$0	0.0%	$0	----	$0	----	$0	0.0%
Cert. Asian American	$0	----	$0	----	$65,000	24.4%	$0	----	$0	----	$65,000	24.4%
Cert. Latino American	$0	----	$0	----	$0	0.0%	$0	----	$0	----	$0	0.0%
Cert. Non-Minority	$0	----	$0	----	$20,400	7.7%	$0	----	$0	----	$20,400	7.7%
Non-Minority	$0	----	$0	----	$181,141	68.0%	$0	----	$0	----	$181,141	68.0%
Total	$0	----	$0	----	$266,541	100.0%	$0	----	$0	----	$266,541	100.0%

Sub Payment

	Construction		A&E		Professional Services		Purchasing		Telecommunication		All Industries	
	Payment	Percent	Payment	Percent	Payment	Percent	Payment	Percent	Payment	Percent	Payment	Percent
Cert. African American	$0	----	$0	----	$0	0.0%	$0	----	$0	----	$0	0.0%
Cert. Arab American	$0	----	$0	----	$0	0.0%	$0	----	$0	----	$0	0.0%
Cert. Asian American	$0	----	$0	----	$6,938	6.2%	$0	----	$0	----	$6,938	6.2%
Cert. Latino American	$0	----	$0	----	$0	0.0%	$0	----	$0	----	$0	0.0%
Cert. Non-Minority	$0	----	$0	----	$0	0.0%	$0	----	$0	----	$0	0.0%
Non-Minority	$0	----	$0	----	$104,221	93.8%	$0	----	$0	----	$104,221	93.8%
Total	$0	----	$0	----	$111,159	100.0%	$0	----	$0	----	$111,159	100.0%

Department of Public Transportation-MUNI

Number of Prime Contracts

	Construction		A&E		Professional Services		Purchasing		Telecommunication		All Industries	
	Freq	Percent	Freq	Percent	Freq	Percent	Freq	Percent	Freq	Percent	Freq	Percent
Cert. African American	0	0.0%	0	0.0%	1	1.6%	82	0.4%	0	----	83	0.4%
Cert. Arab American	0	0.0%	0	0.0%	0	0.0%	4	0.0%	0	----	4	0.0%
Cert. Asian American	0	0.0%	0	0.0%	0	0.0%	423	1.8%	0	----	423	1.8%
Cert. Latino American	0	0.0%	0	0.0%	0	0.0%	65	0.3%	0	----	65	0 3%
Cert. Non-Minority	0	0.0%	0	0.0%	1	1.6%	2,632	11.4%	0	----	2,633	11 3%
Non-Minority	1	100.0%	1	100.0%	61	96.8%	19,956	86.2%	0	----	20,019	86 2%
Total	1	100.0%	1	100.0%	63	100.0%	23,162	100.0%	0	----	23,227	100 0%

Prime Award

	Construction		A&E		Professional Services		Purchasing		Telecommunication		All Industries	
	Award	Percent	Award	Percent	Award	Percent	Award	Percent	Award	Percent	Award	Percent
Cert. African American	$0	0.0%	$0	0.0%	$0	0.0%	$93,713	0.2%	$0	----	$93,713	0.1%
Cert. Arab American	$0	0.0%	$0	0.0%	$0	0.0%	$8,939	0.0%	$0	----	$8,939	0.0%
Cert. Asian American	$0	0.0%	$0	0.0%	$0	0.0%	$481,728	0.8%	$0	----	$481,728	0.7%
Cert. Latino American	$0	0.0%	$0	0.0%	$0	0.0%	$183,580	0.3%	$0	----	$183,580	0.3%
Cert. Non-Minority	$0	0.0%	$0	0.0%	$0	0.0%	$10,185,224	17.4%	$0	----	$10,185,224	14.3%
Non-Minority	$12,478,254	100.0%	$1,938	100.0%	$234,443	100.0%	$47,647,577	81.3%	$0	----	$60,362,212	84.6%
Total	$12,478,254	100.0%	$1,938	100.0%	$234,443	100.0%	$58,600,761	100.0%	$0	----	$71,315,396	100.0%

Prime Payment

	Construction		A&E		Professional Services		Purchasing		Telecommunication		All Industries	
	Payment	Percent	Payment	Percent	Payment	Percent	Payment	Percent	Payment	Percent	Payment	Percent
Cert. African American	$0	0.0%	$0	0.0%	$694,803	1.9%	$75,795	0.1%	$0	----	$770,597	0 7%
Cert. Arab American	$0	0.0%	$0	0.0%	$0	0.0%	$4,312	0.0%	$0	----	$4,312	0.0%
Cert. Asian American	$0	0.0%	$0	0.0%	$0	0.0%	$416,953	0.8%	$0	----	$416,953	0 4%
Cert. Latino American	$0	0.0%	$0	0.0%	$0	0.0%	$173,346	0.3%	$0	----	$173,346	0 2%
Cert. Non-Minority	$0	0.0%	$0	0.0%	$54,447	0.1%	$9,980,142	18.1%	$0	----	$10,034,589	9 6%
Non-Minority	$11,743,041	100.0%	$1,938	100.0%	$36,556,756	98.0%	$44,356,737	80.6%	$0	----	$92,658,471	89 0%
Total	$11,743,041	100.0%	$1,938	100.0%	$37,306,005	100.0%	$55,007,285	100.0%	$0	----	$104,058,268	100.0%

Department of Public Transportation-MUNI

Number of Sub Contracts

	Construction		A&E		Professional Services		Purchasing		Telecommunication		All Industries	
	Freq	Percent	Freq	Percent	Freq	Percent	Freq	Percent	Freq	Percent	Freq	Percent
Cert. African American	2	18.2%	0	----	0	----	0	----	0	----	2	18 2%
Cert. Arab American	0	0.0%	0	----	0	----	0	----	0	----	0	0 0%
Cert. Asian American	3	27.3%	0	----	0	----	0	----	0	----	3	27.3%
Cert. Latino American	2	18.2%	0	----	0	----	0	----	0	----	2	18.2%
Cert. Non-Minority	2	18.2%	0	----	0	----	0	----	0	----	2	18 2%
Non-Minority	2	18.2%	0	----	0	----	0	----	0	----	2	18 2%
Total	11	100.0%	0	----	0	----	0	----	0	----	11	100 0%

Sub Award

	Construction		A&E		Professional Services		Purchasing		Telecommunication		All Industries	
	Award	Percent	Award	Percent	Award	Percent	Award	Percent	Award	Percent	Award	Percent
Cert. African American	$704,000	20.5%	$0	----	$0	----	$0	----	$0	----	$704,000	20.5%
Cert. Arab American	$0	0.0%	$0	----	$0	----	$0	----	$0	----	$0	0.0%
Cert. Asian American	$618,000	18.0%	$0	----	$0	----	$0	----	$0	----	$618,000	18.0%
Cert. Latino American	$750,000	21.9%	$0	----	$0	----	$0	----	$0	----	$750,000	21 9%
Cert. Non-Minority	$455,000	13.3%	$0	----	$0	----	$0	----	$0	----	$455,000	13 3%
Non-Minority	$900,000	26.3%	$0	----	$0	----	$0	----	$0	----	$900,000	26.3%
Total	$3,427,000	100.0%	$0	----	$0	----	$0	----	$0	----	$3,427,000	100 0%

Sub Payment

	Construction		A&E		Professional Services		Purchasing		Telecommunication		All Industries	
	Payment	Percent	Payment	Percent	Payment	Percent	Payment	Percent	Payment	Percent	Payment	Percent
Cert. African American	$0	----	$0	----	$0	----	$0	----	$0	----	$0	----
Cert. Arab American	$0	----	$0	----	$0	----	$0	----	$0	----	$0	----
Cert. Asian American	$0	----	$0	----	$0	----	$0	----	$0	----	$0	----
Cert. Latino American	$0	----	$0	----	$0	----	$0	----	$0	----	$0	----
Cert. Non-Minority	$0	----	$0	----	$0	----	$0	----	$0	----	$0	----
Non-Minority	$0	----	$0	----	$0	----	$0	----	$0	----	$0	----
Total	$0	----	$0	----	$0	----	$0	----	$0	----	$0	----

Public Utilities Commission

Number of Prime Contracts

	Construction		A&E		Professional Services		Purchasing		Telecommunication		All Industries	
	Freq	Percent	Freq	Percent	Freq	Percent	Freq	Percent	Freq	Percent	Freq	Percent
Cert. African American	6	1.7%	0	0.0%	1	0.7%	197	0.6%	0	----	204	0 6%
Cert. Arab American	0	0.0%	0	0.0%	0	0.0%	31	0.1%	0	----	31	0.1%
Cert. Asian American	17	4.9%	0	0.0%	4	2.7%	150	0.5%	0	----	171	0 5%
Cert. Latino American	55	15.9%	0	0.0%	0	0.0%	97	0.3%	0	----	152	0.5%
Cert. Non-Minority	150	43.5%	0	0.0%	11	7.4%	1,595	5.0%	0	----	1,756	5.4%
Non-Minority	117	33.9%	8	100.0%	133	89.3%	29,829	93.5%	0	----	30,087	92 9%
Total	345	100.0%	8	100.0%	149	100.0%	31,899	100.0%	0	----	32,401	100.0%

Prime Award

	Construction		A&E		Professional Services		Purchasing		Telecommunication		All Industries	
	Award	Percent	Award	Percent	Award	Percent	Award	Percent	Award	Percent	Award	Percent
Cert. African American	$4,836,441	1.9%	$0	0.0%	$45,000	0.1%	$342,310	0.5%	$0	----	$5,223,750	1.3%
Cert. Arab American	$0	0.0%	$0	0.0%	$0	0.0%	$10,865	0.0%	$0	----	$10,865	0 0%
Cert. Asian American	$13,156,661	5.2%	$0	0.0%	$1,747,500	2.2%	$613,836	0.9%	$0	----	$15,517,997	3 9%
Cert. Latino American	$61,147,894	24.2%	$0	0.0%	$0	0.0%	$363,236	0.6%	$0	----	$61,511,130	15.5%
Cert. Non-Minority	$58,531,324	23.2%	$0	0.0%	$6,889,465	8.7%	$1,270,652	2.0%	$0	----	$66,691,442	16.8%
Non-Minority	$115,088,798	45.5%	$272,067	100.0%	$70,833,190	89.1%	$62,323,363	96 0%	$0	----	$248,517,418	62 5%
Total	$252,761,118	100.0%	$272,067	100.0%	$79,515,155	100.0%	$64,924,262	100.0%	$0	----	$397,472,602	100 0%

Prime Payment

	Construction		A&E		Professional Services		Purchasing		Telecommunication		All Industries	
	Payment	Percent	Payment	Percent	Payment	Percent	Payment	Percent	Payment	Percent	Payment	Percent
Cert. African American	$4,297,795	2.5%	$0	0.0%	$276,558	0.8%	$342,173	1.0%	$0	----	$4,916,526	2 1%
Cert. Arab American	$0	0.0%	$0	0.0%	$0	0.0%	$9,512	0.0%	$0	----	$9,512	0 0%
Cert. Asian American	$9,362,495	5.5%	$0	0.0%	$832,978	2.4%	$594,869	1.7%	$0	----	$10,790,342	4.5%
Cert. Latino American	$40,127,850	23.7%	$0	0.0%	$0	0.0%	$360,239	1.0%	$0	----	$40,488,088	16 9%
Cert. Non-Minority	$48,283,214	28.5%	$0	0.0%	$3,522,382	10.3%	$1,235,939	3.5%	$0	----	$53,041,535	22.2%
Non-Minority	$67,138,692	39.7%	$259,611	100.0%	$29,707,174	86.5%	$32,657,632	92.8%	$0	----	$129,763,109	54.3%
Total	$169,210,045	100.0%	$259,611	100.0%	$34,339,093	100.0%	$35,200,363	100.0%	$0	----	$239,009,113	100.0%

Public Utilities Commission

Number of Sub Contracts

	Construction		A&E		Professional Services		Purchasing		Telecommunication		All Industries	
	Freq	Percent	Freq	Percent	Freq	Percent	Freq	Percent	Freq	Percent	Freq	Percent
Cert. African American	67	9.9%	0	0.0%	26	7.0%	0	----	0	----	93	8.9%
Cert. Arab American	1	0.1%	0	0.0%	1	0.3%	0	----	0	----	2	0.2%
Cert. Asian American	96	14.2%	0	0.0%	53	14.2%	0	----	0	----	149	14.2%
Cert. Latino American	158	23.4%	0	0.0%	10	2.7%	0	----	0	----	168	16.0%
Cert. Non-Minority	180	26.7%	1	33.3%	86	23.1%	0	----	0	----	267	25.4%
Non-Minority	172	25.5%	2	66.7%	197	52.8%	0	----	0	----	371	35.3%
Total	674	100.0%	3	100.0%	373	100.0%	0	----	0	----	1,050	100.0%

Sub Award

	Construction		A&E		Professional Services		Purchasing		Telecommunication		All Industries	
	Award	Percent	Award	Percent	Award	Percent	Award	Percent	Award	Percent	Award	Percent
Cert. African American	$7,701,095	12.2%	$0	0.0%	$396,619	21.9%	$0	----	$0	----	$8,097,714	12.5%
Cert. Arab American	$1,821,000	2.9%	$0	0.0%	$0	0.0%	$0	----	$0	----	$1,821,000	2.8%
Cert. Asian American	$7,964,303	12.6%	$0	0.0%	$81,746	4.5%	$0	----	$0	----	$8,046,049	12.4%
Cert. Latino American	$16,260,546	25.8%	$0	0.0%	$226,500	12.5%	$0	----	$0	----	$16,487,046	25 4%
Cert. Non-Minority	$15,564,096	24.7%	$31,248	31.4%	$258,030	14.2%	$0	----	$0	----	$15,853,374	24 4%
Non-Minority	$13,724,597	21.8%	$68,160	68.6%	$847,965	46.8%	$0	----	$0	----	$14,640,722	22.5%
Total	$63,035,637	100.0%	$99,408	100.0%	$1,810,860	100.0%	$0	----	$0	----	$64,945,904	100 0%

Sub Payment

	Construction		A&E		Professional Services		Purchasing		Telecommunication		All Industries	
	Payment	Percent	Payment	Percent	Payment	Percent	Payment	Percent	Payment	Percent	Payment	Percent
Cert. African American	$5,704,653	12.2%	$0	0.0%	$1,509,257	12.0%	$0	----	$0	----	$7,213,910	12.1%
Cert. Arab American	$0	0.0%	$0	0.0%	$79,966	0.6%	$0	----	$0	----	$79,966	0 1%
Cert. Asian American	$6,350,635	13.6%	$0	0.0%	$1,749,635	13.9%	$0	----	$0	----	$8,100,270	13 6%
Cert. Latino American	$10,613,809	22.7%	$0	0.0%	$447,499	3.6%	$0	----	$0	----	$11,061,308	18 6%
Cert. Non-Minority	$11,764,872	25.1%	$31,292	39.8%	$3,326,504	26.4%	$0	----	$0	----	$15,122,669	25 4%
Non-Minority	$12,352,929	26.4%	$47,313	60.2%	$5,474,213	43.5%	$0	----	$0	----	$17,874,454	30 1%
Total	$46,786,898	100.0%	$78,606	100.0%	$12,587,074	100.0%	$0	----	$0	----	$59,452,577	100.0%

Department of Public Works

Number of Prime Contracts

	Construction		A&E		Professional Services		Purchasing		Telecommunication		All Industries	
	Freq	Percent	Freq	Percent	Freq	Percent	Freq	Percent	Freq	Percent	Freq	Percent
Cert. African American	3	2.1%	2	1.7%	10	3.1%	177	1.5%	0	----	192	1.5%
Cert. Arab American	0	0.0%	0	0.0%	0	0.0%	6	0.1%	0	----	6	0 0%
Cert. Asian American	34	23.8%	17	14.8%	24	7.5%	47	0.4%	0	----	122	1.0%
Cert. Latino American	23	16.1%	5	4.3%	3	0.9%	27	0.2%	0	----	58	0.5%
Cert. Non-Minority	17	11.9%	19	16.5%	32	10.0%	827	7.0%	0	----	895	7 2%
Non-Minority	66	46.2%	72	62.6%	250	78.4%	10,793	90.9%	0	----	11,181	89.8%
Total	143	100.0%	115	100.0%	319	100.0%	11,877	100.0%	0	----	12,454	100.0%

Prime Award

	Construction		A&E		Professional Services		Purchasing		Telecommunication		All Industries	
	Award	Percent	Award	Percent	Award	Percent	Award	Percent	Award	Percent	Award	Percent
Cert. African American	$812,497	0.2%	$69,751	0.1%	$378,256	0.4%	$189,015	1.3%	$0	----	$1,449,518	0.3%
Cert. Arab American	$0	0.0%	$0	0.0%	$0	0.0%	$2,100	0.0%	$0	----	$2,100	0.0%
Cert. Asian American	$44,066,628	13.0%	$6,995,831	7.1%	$4,498,471	4.7%	$879,354	5.9%	$0	----	$56,440,284	10.3%
Cert. Latino American	$19,816,591	5.9%	$12,678,356	12.8%	$385,341	0.4%	$12,452	0.1%	$0	----	$32,892,740	6 0%
Cert. Non-Minority	$7,855,412	2.3%	$27,749,309	28.0%	$4,443,162	4.6%	$738,994	5.0%	$0	----	$40,786,878	7 4%
Non-Minority	$265,274,302	78.5%	$51,555,301	52.1%	$86,117,330	89.9%	$12,983,305	87.7%	$0	----	$415,930,239	76 0%
Total	$337,825,431	100.0%	$99,048,548	100.0%	$95,822,560	100.0%	$14,805,220	100.0%	$0	----	$547,501,759	100.0%

Prime Payment

	Construction		A&E		Professional Services		Purchasing		Telecommunication		All Industries	
	Payment	Percent	Payment	Percent	Payment	Percent	Payment	Percent	Payment	Percent	Payment	Percent
Cert. African American	$551,675	0.4%	$42,785	0.0%	$1,513,848	3.8%	$188,391	1.3%	$0	----	$2,296,700	0.8%
Cert. Arab American	$0	0.0%	$0	0.0%	$0	0.0%	$2,100	0.0%	$0	----	$2,100	0.0%
Cert. Asian American	$25,226,550	16.4%	$7,445,180	8.3%	$1,774,257	4.5%	$906,155	6.2%	$0	----	$35,352,143	11.9%
Cert. Latino American	$9,330,195	6.1%	$13,062,735	14.5%	$9,708	0.0%	$12,452	0.1%	$0	----	$22,415,090	7.5%
Cert. Non-Minority	$5,479,797	3.6%	$26,491,560	29.4%	$2,738,732	7.0%	$735,000	5.0%	$0	----	$35,445,090	11.9%
Non-Minority	$113,012,163	73.6%	$43,120,218	47.8%	$33,313,812	84.7%	$12,807,853	87 4%	$0	----	$202,254,046	67 9%
Total	$153,600,381	100.0%	$90,162,479	100.0%	$39,350,357	100.0%	$14,651,951	100.0%	$0	----	$297,765,168	100 0%

Department of Public Works

Number of Sub Contracts

	Construction		A&E		Professional Services		Purchasing		Telecommunication		All Industries	
	Freq	Percent	Freq	Percent	Freq	Percent	Freq	Percent	Freq	Percent	Freq	Percent
Cert. African American	54	7.3%	39	7.7%	39	8.3%	0	0.0%	0	----	132	7.6%
Cert. Arab American	1	0.1%	2	0.4%	0	0.0%	0	0.0%	0	----	3	0 2%
Cert. Asian American	135	18.2%	89	17.6%	75	15.9%	2	22.2%	0	----	301	17.4%
Cert. Latino American	83	11.2%	44	8.7%	18	3.8%	1	11.1%	0	----	146	8 5%
Cert. Non-Minority	133	17.9%	81	16.0%	103	21.9%	1	11.1%	0	----	318	18 4%
Non-Minority	336	45.3%	250	49.5%	236	50.1%	5	55.6%	0	----	827	47.9%
Total	742	100.0%	505	100.0%	471	100.0%	9	100.0%	0	----	1,727	100.0%

Sub Award

	Construction		A&E		Professional Services		Purchasing		Telecommunication		All Industries	
	Award	Percent	Award	Percent	Award	Percent	Award	Percent	Award	Percent	Award	Percent
Cert. African American	$8,162,501	8.2%	$1,941,140	4.8%	$1,208,597	9.5%	$0	0.0%	$0	----	$11,312,238	7 4%
Cert. Arab American	$58,000	0.1%	$0	0.0%	$0	0.0%	$0	0.0%	$0	----	$58,000	0.0%
Cert. Asian American	$16,141,262	16.2%	$7,978,560	19.9%	$2,683,938	21.1%	$227,300	55.5%	$0	----	$27,031,060	17.7%
Cert. Latino American	$11,826,927	11.9%	$6,474,826	16.2%	$97,100	0.8%	$33,500	8.2%	$0	----	$18,432,353	12 1%
Cert. Non-Minority	$22,778,868	22.9%	$5,727,973	14.3%	$2,690,579	21.1%	$68,000	16.6%	$0	----	$31,265,420	20.5%
Non-Minority	$40,458,829	40.7%	$17,951,678	44.8%	$6,050,889	47.5%	$81,080	19.8%	$0	----	$64,542,476	42 3%
Total	$99,426,387	100.0%	$40,074,177	100.0%	$12,731,103	100.0%	$409,880	100.0%	$0	----	$152,641,547	100 0%

Sub Payment

	Construction		A&E		Professional Services		Purchasing		Telecommunication		All Industries	
	Payment	Percent	Payment	Percent	Payment	Percent	Payment	Percent	Payment	Percent	Payment	Percent
Cert. African American	$2,446,202	3.9%	$947,899	2.9%	$554,919	10.7%	$0	----	$0	----	$3,949,019	3 9%
Cert. Arab American	$0	0.0%	$58,800	0.2%	$0	0.0%	$0	----	$0	----	$58,800	0.1%
Cert. Asian American	$7,498,408	12.0%	$3,775,204	11.4%	$585,879	11.3%	$0	----	$0	----	$11,859,492	11.8%
Cert. Latino American	$11,126,650	17.8%	$6,026,002	18.2%	$241,440	4.6%	$0	----	$0	----	$17,394,091	17.3%
Cert. Non-Minority	$17,959,364	28.8%	$3,420,809	10.3%	$1,689,909	32.5%	$0	----	$0	----	$23,070,083	22 9%
Non-Minority	$23,337,847	37.4%	$18,920,856	57.1%	$2,126,068	40.9%	$0	----	$0	----	$44,384,770	44 1%
Total	$62,368,470	100.0%	$33,149,569	100.0%	$5,198,215	100.0%	$0	----	$0	----	$100,716,254	100.0%

Department of Purchasing

Number of Prime Contracts

	Construction		A&E		Professional Services		Purchasing		Telecommunication		All Industries	
	Freq	Percent	Freq	Percent	Freq	Percent	Freq	Percent	Freq	Percent	Freq	Percent
Cert. African American	0	----	0	----	0	0.0%	10	0.3%	0	----	10	0.3%
Cert. Arab American	0	----	0	----	0	0.0%	3	0.1%	0	----	3	0.1%
Cert. Asian American	0	----	0	----	0	0.0%	93	3.2%	0	----	93	3.2%
Cert. Latino American	0	----	0	----	0	0.0%	18	0.6%	0	----	18	0.6%
Cert. Non-Minority	0	----	0	----	0	0.0%	191	6.5%	0	----	191	6.5%
Non-Minority	0	----	0	----	2	100.0%	2,631	89.3%	0	----	2,633	89.3%
Total	0	----	0	----	2	100.0%	2,946	100.0%	0	----	2,948	100.0%

Prime Award

	Construction		A&E		Professional Services		Purchasing		Telecommunication		All Industries	
	Award	Percent	Award	Percent	Award	Percent	Award	Percent	Award	Percent	Award	Percent
Cert. African American	$0	----	$0	----	$0	0.0%	$31,086	0.2%	$0	----	$31,086	0.2%
Cert. Arab American	$0	----	$0	----	$0	0.0%	$7,376	0.0%	$0	----	$7,376	0.0%
Cert. Asian American	$0	----	$0	----	$0	0.0%	$315,738	2.1%	$0	----	$315,738	2.1%
Cert. Latino American	$0	----	$0	----	$0	0.0%	$82,591	0.6%	$0	----	$82,591	0.6%
Cert. Non-Minority	$0	----	$0	----	$0	0.0%	$1,320,079	8.9%	$0	----	$1,320,079	8.9%
Non-Minority	$0	----	$0	----	$395	100.0%	$13,136,117	88.2%	$0	----	$13,136,512	88.2%
Total	$0	----	$0	----	$395	100.0%	$14,892,986	100.0%	$0	----	$14,893,381	100.0%

Prime Payment

	Construction		A&E		Professional Services		Purchasing		Telecommunication		All Industries	
	Payment	Percent	Payment	Percent	Payment	Percent	Payment	Percent	Payment	Percent	Payment	Percent
Cert. African American	$0	----	$0	----	$0	0.0%	$31,086	0.2%	$0	----	$31,086	0.2%
Cert. Arab American	$0	----	$0	----	$0	0.0%	$3,083	0.0%	$0	----	$3,083	0.0%
Cert. Asian American	$0	----	$0	----	$0	0.0%	$313,976	2.1%	$0	----	$313,976	2.1%
Cert. Latino American	$0	----	$0	----	$0	0.0%	$78,466	0.5%	$0	----	$78,466	0.5%
Cert. Non-Minority	$0	----	$0	----	$0	0.0%	$1,309,756	8.8%	$0	----	$1,309,756	8.8%
Non-Minority	$0	----	$0	----	$53,647	100.0%	$13,067,116	88.3%	$0	----	$13,120,763	88.3%
Total	$0	----	$0	----	$53,647	100.0%	$14,803,482	100.0%	$0	----	$14,857,129	100.0%

Department of Purchasing

Number of Sub Contracts

	Construction		A&E		Professional Services		Purchasing		Telecommunication		All Industries	
	Freq	Percent	Freq	Percent	Freq	Percent	Freq	Percent	Freq	Percent	Freq	Percent
Cert. African American	0	----	0	----	0	----	0	----	0	----	0	----
Cert. Arab American	0	----	0	----	0	----	0	----	0	----	0	----
Cert. Asian American	0	----	0	----	0	----	0	----	0	----	0	----
Cert. Latino American	0	----	0	----	0	----	0	----	0	----	0	----
Cert. Non-Minority	0	----	0	----	0	----	0	----	0	----	0	----
Non-Minority	0	----	0	----	0	----	0	----	0	----	0	----
Total	0	----	0	----	0	----	0	----	0	----	0	----

Sub Award

	Construction		A&E		Professional Services		Purchasing		Telecommunication		All Industries	
	Award	Percent	Award	Percent	Award	Percent	Award	Percent	Award	Percent	Award	Percent
Cert. African American	$0	----	$0	----	$0	----	$0	----	$0	----	$0	----
Cert. Arab American	$0	----	$0	----	$0	----	$0	----	$0	----	$0	----
Cert. Asian American	$0	----	$0	----	$0	----	$0	----	$0	----	$0	----
Cert. Latino American	$0	----	$0	----	$0	----	$0	----	$0	----	$0	----
Cert. Non-Minority	$0	----	$0	----	$0	----	$0	----	$0	----	$0	----
Non-Minority	$0	----	$0	----	$0	----	$0	----	$0	----	$0	----
Total	$0	----	$0	----	$0	----	$0	----	$0	----	$0	----

Sub Payment

	Construction		A&E		Professional Services		Purchasing		Telecommunication		All Industries	
	Payment	Percent	Payment	Percent	Payment	Percent	Payment	Percent	Payment	Percent	Payment	Percent
Cert. African American	$0	----	$0	----	$0	----	$0	----	$0	----	$0	----
Cert. Arab American	$0	----	$0	----	$0	----	$0	----	$0	----	$0	----
Cert. Asian American	$0	----	$0	----	$0	----	$0	----	$0	----	$0	----
Cert. Latino American	$0	----	$0	----	$0	----	$0	----	$0	----	$0	----
Cert. Non-Minority	$0	----	$0	----	$0	----	$0	----	$0	----	$0	----
Non-Minority	$0	----	$0	----	$0	----	$0	----	$0	----	$0	----
Total	$0	----	$0	----	$0	----	$0	----	$0	----	$0	----

Retirement System

Number of Prime Contracts

	Construction		A&E		Professional Services		Purchasing		Telecommunication		All Industries	
	Freq	Percent	Freq	Percent	Freq	Percent	Freq	Percent	Freq	Percent	Freq	Percent
Cert. African American	0	----	0	----	1	0.6%	0	0.0%	0	----	1	0.1%
Cert. Arab American	0	----	0	----	0	0.0%	0	0.0%	0	----	0	0.0%
Cert. Asian American	0	----	0	----	0	0.0%	0	0.0%	0	----	0	0.0%
Cert. Latino American	0	----	0	----	0	0.0%	7	1.2%	0	----	7	0.9%
Cert. Non-Minority	0	----	0	----	0	0.0%	23	4.0%	0	----	23	3.1%
Non-Minority	0	----	0	----	168	99.4%	550	94.8%	0	----	718	95 9%
Total	0	----	0	----	169	100.0%	580	100.0%	0	----	749	100.0%

Prime Award

	Construction		A&E		Professional Services		Purchasing		Telecommunication		All Industries	
	Award	Percent	Award	Percent	Award	Percent	Award	Percent	Award	Percent	Award	Percent
Cert. African American	$0	----	$0	----	$30,000	0.0%	$0	0.0%	$0	----	$30,000	0 0%
Cert. Arab American	$0	----	$0	----	$0	0.0%	$0	0.0%	$0	----	$0	0.0%
Cert. Asian American	$0	----	$0	----	$0	0.0%	$0	0.0%	$0	----	$0	0.0%
Cert. Latino American	$0	----	$0	----	$0	0.0%	$6,610	0.5%	$0	----	$6,610	0.0%
Cert. Non-Minority	$0	----	$0	----	$0	0.0%	$11,059	0.9%	$0	----	$11,059	0.0%
Non-Minority	$0	----	$0	----	$74,563,605	100.0%	$1,259,357	98.6%	$0	----	$75,822,962	99.9%
Total	$0	----	$0	----	$74,593,605	100.0%	$1,277,027	100.0%	$0	----	$75,870,631	100.0%

Prime Payment

	Construction		A&E		Professional Services		Purchasing		Telecommunication		All Industries	
	Payment	Percent	Payment	Percent	Payment	Percent	Payment	Percent	Payment	Percent	Payment	Percent
Cert. African American	$0	----	$0	----	$25,775	0.0%	$0	0.0%	$0	----	$25,775	0.0%
Cert. Arab American	$0	----	$0	----	$0	0.0%	$0	0.0%	$0	----	$0	0.0%
Cert. Asian American	$0	----	$0	----	$0	0.0%	$0	0.0%	$0	----	$0	0 0%
Cert. Latino American	$0	----	$0	----	$0	0.0%	$33,852	2.4%	$0	----	$33,852	0.1%
Cert. Non-Minority	$0	----	$0	----	$0	0.0%	$11,059	0.8%	$0	----	$11,059	0.0%
Non-Minority	$0	----	$0	----	$59,201,430	100.0%	$1,363,388	96.8%	$0	----	$60,564,818	99.9%
Total	$0	----	$0	----	$59,227,205	100.0%	$1,408,299	100.0%	$0	----	$60,635,504	100.0%

Retirement System

Number of Sub Contracts

	Construction		A&E		Professional Services		Purchasing		Telecommunication		All Industries	
	Freq	Percent	Freq	Percent	Freq	Percent	Freq	Percent	Freq	Percent	Freq	Percent
Cert. African American	0	----	0	----	0	----	0	----	0	----	0	----
Cert. Arab American	0	----	0	----	0	----	0	----	0	----	0	----
Cert. Asian American	0	----	0	----	0	----	0	----	0	----	0	----
Cert. Latino American	0	----	0	----	0	----	0	----	0	----	0	----
Cert. Non-Minority	0	----	0	----	0	----	0	----	0	----	0	----
Non-Minority	0	----	0	----	0	----	0	----	0	----	0	----
Total	0	----	0	----	0	----	0	----	0	----	0	----

Sub Award

	Construction		A&E		Professional Services		Purchasing		Telecommunication		All Industries	
	Award	Percent	Award	Percent	Award	Percent	Award	Percent	Award	Percent	Award	Percent
Cert. African American	$0	----	$0	----	$0	----	$0	----	$0	----	$0	----
Cert. Arab American	$0	----	$0	----	$0	----	$0	----	$0	----	$0	----
Cert. Asian American	$0	----	$0	----	$0	----	$0	----	$0	----	$0	----
Cert. Latino American	$0	----	$0	----	$0	----	$0	----	$0	----	$0	----
Cert. Non-Minority	$0	----	$0	----	$0	----	$0	----	$0	----	$0	----
Non-Minority	$0	----	$0	----	$0	----	$0	----	$0	----	$0	----
Total	$0	----	$0	----	$0	----	$0	----	$0	----	$0	----

Sub Payment

	Construction		A&E		Professional Services		Purchasing		Telecommunication		All Industries	
	Payment	Percent	Payment	Percent	Payment	Percent	Payment	Percent	Payment	Percent	Payment	Percent
Cert. African American	$0	----	$0	----	$0	----	$0	----	$0	----	$0	----
Cert. Arab American	$0	----	$0	----	$0	----	$0	----	$0	----	$0	----
Cert. Asian American	$0	----	$0	----	$0	----	$0	----	$0	----	$0	----
Cert. Latino American	$0	----	$0	----	$0	----	$0	----	$0	----	$0	----
Cert. Non-Minority	$0	----	$0	----	$0	----	$0	----	$0	----	$0	----
Non-Minority	$0	----	$0	----	$0	----	$0	----	$0	----	$0	----
Total	$0	----	$0	----	$0	----	$0	----	$0	----	$0	----

Department of Telecommunications and Informational Services

Number of Prime Contracts

	Construction		A&E		Professional Services		Purchasing		Telecommunication		All Industries	
	Freq	Percent	Freq	Percent	Freq	Percent	Freq	Percent	Freq	Percent	Freq	Percent
Cert. African American	0	----	0	----	0	0.0%	66	2.6%	1	0.5%	67	2.3%
Cert. Arab American	0	----	0	----	0	0.0%	0	0.0%	0	0.0%	0	0.0%
Cert. Asian American	0	----	0	----	3	2.3%	74	2.9%	0	0.0%	77	2.7%
Cert. Latino American	0	----	0	----	2	1.5%	15	0.6%	1	0.5%	18	0.6%
Cert. Non-Minority	0	----	0	----	7	5.4%	125	4.9%	4	2.1%	136	4.7%
Non-Minority	0	----	0	----	118	90.8%	2,295	89.1%	188	96.9%	2,601	89 7%
Total	0	----	0	----	130	100.0%	2,575	100.0%	194	100.0%	2,899	100 0%

Prime Award

	Construction		A&E		Professional Services		Purchasing		Telecommunication		All Industries	
	Award	Percent	Award	Percent	Award	Percent	Award	Percent	Award	Percent	Award	Percent
Cert. African American	$0	----	$0	----	$0	0.0%	$60,841	0.6%	$2,599	0.0%	$63,440	0.1%
Cert. Arab American	$0	----	$0	----	$0	0.0%	$0	0.0%	$0	0.0%	$0	0.0%
Cert. Asian American	$0	----	$0	----	$250,000	0.5%	$44,414	0.5%	$0	0.0%	$294,414	0.4%
Cert. Latino American	$0	----	$0	----	$75,000	0.2%	$26,352	0.3%	$158	0.0%	$101,510	0.2%
Cert. Non-Minority	$0	----	$0	----	$513,525	1.1%	$48,676	0.5%	$152,079	1.5%	$714,280	1.1%
Non-Minority	$0	----	$0	----	$45,515,981	98.2%	$9,678,087	98.2%	$9,776,058	98.4%	$64,970,127	98 2%
Total	$0	----	$0	----	$46,354,506	100.0%	$9,858,369	100.0%	$9,930,895	100.0%	$66,143,771	100 0%

Prime Payment

	Construction		A&E		Professional Services		Purchasing		Telecommunication		All Industries	
	Payment	Percent	Payment	Percent	Payment	Percent	Payment	Percent	Payment	Percent	Payment	Percent
Cert. African American	$0	----	$0	----	$0	0.0%	$60,841	0.6%	$2,599	0.0%	$63,440	0.1%
Cert. Arab American	$0	----	$0	----	$0	0.0%	$0	0.0%	$0	0.0%	$0	0 0%
Cert. Asian American	$0	----	$0	----	$37,513	0.2%	$39,162	0.4%	$0	0.0%	$76,675	0.2%
Cert. Latino American	$0	----	$0	----	$21,520	0.1%	$26,252	0.3%	$158	0.0%	$47,930	0 1%
Cert. Non-Minority	$0	----	$0	----	$385,334	1.6%	$48,661	0.5%	$213,093	1.5%	$647,088	1.3%
Non-Minority	$0	----	$0	----	$24,326,467	98.2%	$9,417,517	98.2%	$14,050,013	98.5%	$47,793,997	98 3%
Total	$0	----	$0	----	$24,770,834	100.0%	$9,592,432	100.0%	$14,265,864	100.0%	$48,629,130	100.0%

Department of Telecommunications and Informational Services

Number of Sub Contracts

	Construction		A&E		Professional Services		Purchasing		Telecommunication		All Industries	
	Freq	Percent	Freq	Percent	Freq	Percent	Freq	Percent	Freq	Percent	Freq	Percent
Cert. African American	0	----	0	----	0	----	0	----	0	----	0	----
Cert. Arab American	0	----	0	----	0	----	0	----	0	----	0	----
Cert. Asian American	0	----	0	----	0	----	0	----	0	----	0	----
Cert. Latino American	0	----	0	----	0	----	0	----	0	----	0	----
Cert. Non-Minority	0	----	0	----	0	----	0	----	0	----	0	----
Non-Minority	0	----	0	----	0	----	0	----	0	----	0	----
Total	0	----	0	----	0	----	0	----	0	----	0	----

Sub Award

	Construction		A&E		Professional Services		Purchasing		Telecommunication		All Industries	
	Award	Percent	Award	Percent	Award	Percent	Award	Percent	Award	Percent	Award	Percent
Cert. African American	$0	----	$0	----	$0	----	$0	----	$0	----	$0	----
Cert. Arab American	$0	----	$0	----	$0	----	$0	----	$0	----	$0	----
Cert. Asian American	$0	----	$0	----	$0	----	$0	----	$0	----	$0	----
Cert. Latino American	$0	----	$0	----	$0	----	$0	----	$0	----	$0	----
Cert. Non-Minority	$0	----	$0	----	$0	----	$0	----	$0	----	$0	----
Non-Minority	$0	----	$0	----	$0	----	$0	----	$0	----	$0	----
Total	$0	----	$0	----	$0	----	$0	----	$0	----	$0	----

Sub Payment

	Construction		A&E		Professional Services		Purchasing		Telecommunication		All Industries	
	Payment	Percent	Payment	Percent	Payment	Percent	Payment	Percent	Payment	Percent	Payment	Percent
Cert. African American	$0	----	$0	----	$0	----	$0	----	$0	----	$0	----
Cert. Arab American	$0	----	$0	----	$0	----	$0	----	$0	----	$0	----
Cert. Asian American	$0	----	$0	----	$0	----	$0	----	$0	----	$0	----
Cert. Latino American	$0	----	$0	----	$0	----	$0	----	$0	----	$0	----
Cert. Non-Minority	$0	----	$0	----	$0	----	$0	----	$0	----	$0	----
Non-Minority	$0	----	$0	----	$0	----	$0	----	$0	----	$0	----
Total	$0	----	$0	----	$0	----	$0	----	$0	----	$0	----

Treasurer/Tax Collector

Number of Prime Contracts

	Construction		A&E		Professional Services		Purchasing		Telecommunication		All Industries	
	Freq	Percent	Freq	Percent	Freq	Percent	Freq	Percent	Freq	Percent	Freq	Percent
Cert. African American	0	0.0%	0	----	0	0.0%	1	0.2%	0	0.0%	1	0 2%
Cert. Arab American	0	0.0%	0	----	0	0.0%	0	0.0%	0	0.0%	0	0 0%
Cert. Asian American	0	0.0%	0	----	1	5.6%	2	0.4%	0	0.0%	3	0 6%
Cert. Latino American	0	0.0%	0	----	0	0.0%	0	0.0%	0	0.0%	0	0 0%
Cert. Non-Minority	0	0.0%	0	----	0	0.0%	1	0.2%	0	0.0%	1	0.2%
Non-Minority	2	100.0%	0	----	17	94.4%	506	99.2%	4	100 0%	529	99 1%
Total	2	100.0%	0	----	18	100.0%	510	100.0%	4	100.0%	534	100.0%

Prime Award

	Construction		A&E		Professional Services		Purchasing		Telecommunication		All Industries	
	Award	Percent	Award	Percent	Award	Percent	Award	Percent	Award	Percent	Award	Percent
Cert. African American	$0	0.0%	$0	----	$0	0.0%	$510	0.1%	$0	0.0%	$510	0.0%
Cert. Arab American	$0	0.0%	$0	----	$0	0.0%	$0	0.0%	$0	0.0%	$0	0.0%
Cert. Asian American	$0	0.0%	$0	----	$3,812	1.0%	$335	0.1%	$0	0.0%	$4,147	0.3%
Cert. Latino American	$0	0.0%	$0	----	$0	0.0%	$0	0.0%	$0	0.0%	$0	0.0%
Cert. Non-Minority	$0	0.0%	$0	----	$0	0.0%	$885	0.2%	$0	0.0%	$885	0.1%
Non-Minority	$178,195	100.0%	$0	----	$380,022	99.0%	$556,062	99.7%	$75,840	100 0%	$1,190,119	99 5%
Total	$178,195	100.0%	$0	----	$383,834	100.0%	$557,792	100.0%	$75,840	100.0%	$1,195,661	100.0%

Prime Payment

	Construction		A&E		Professional Services		Purchasing		Telecommunication		All Industries	
	Payment	Percent	Payment	Percent	Payment	Percent	Payment	Percent	Payment	Percent	Payment	Percent
Cert. African American	$0	0.0%	$0	----	$0	0.0%	$510	0 1%	$0	0.0%	$510	0.0%
Cert. Arab American	$0	0.0%	$0	----	$0	0.0%	$0	0.0%	$0	0.0%	$0	0 0%
Cert. Asian American	$0	0.0%	$0	----	$3,812	3.1%	$335	0.0%	$0	0.0%	$4,147	0 3%
Cert. Latino American	$0	0.0%	$0	----	$0	0.0%	$0	0.0%	$0	0.0%	$0	0.0%
Cert. Non-Minority	$0	0.0%	$0	----	$0	0.0%	$885	0.1%	$0	0.0%	$885	0.1%
Non-Minority	$92,426	100.0%	$0	----	$120,872	96 9%	$940,265	99.8%	$34,343	100.0%	$1,187,906	99 5%
Total	$92,426	100.0%	$0	----	$124,684	100.0%	$941,995	100.0%	$34,343	100.0%	$1,193,448	100.0%

Treasurer/Tax Collector

Number of Sub Contracts

	Construction		A&E		Professional Services		Purchasing		Telecommunication		All Industries	
	Freq	Percent	Freq	Percent	Freq	Percent	Freq	Percent	Freq	Percent	Freq	Percent
Cert. African American	0	----	0	----	0	----	0	----	0	----	0	----
Cert. Arab American	0	----	0	----	0	----	0	----	0	----	0	----
Cert. Asian American	0	----	0	----	0	----	0	----	0	----	0	----
Cert. Latino American	0	----	0	----	0	----	0	----	0	----	0	----
Cert. Non-Minority	0	----	0	----	0	----	0	----	0	----	0	----
Non-Minority	0	----	0	----	0	----	0	----	0	----	0	----
Total	0	----	0	----	0	----	0	----	0	----	0	----

Sub Award

	Construction		A&E		Professional Services		Purchasing		Telecommunication		All Industries	
	Award	Percent	Award	Percent	Award	Percent	Award	Percent	Award	Percent	Award	Percent
Cert. African American	$0	----	$0	----	$0	----	$0	----	$0	----	$0	----
Cert. Arab American	$0	----	$0	----	$0	----	$0	----	$0	----	$0	----
Cert. Asian American	$0	----	$0	----	$0	----	$0	----	$0	----	$0	----
Cert. Latino American	$0	----	$0	----	$0	----	$0	----	$0	----	$0	----
Cert. Non-Minority	$0	----	$0	----	$0	----	$0	----	$0	----	$0	----
Non-Minority	$0	----	$0	----	$0	----	$0	----	$0	----	$0	----
Total	$0	----	$0	----	$0	----	$0	----	$0	----	$0	----

Sub Payment

	Construction		A&E		Professional Services		Purchasing		Telecommunication		All Industries	
	Payment	Percent	Payment	Percent	Payment	Percent	Payment	Percent	Payment	Percent	Payment	Percent
Cert. African American	$0	----	$0	----	$0	----	$0	----	$0	----	$0	----
Cert. Arab American	$0	----	$0	----	$0	----	$0	----	$0	----	$0	----
Cert. Asian American	$0	----	$0	----	$0	----	$0	----	$0	----	$0	----
Cert. Latino American	$0	----	$0	----	$0	----	$0	----	$0	----	$0	----
Cert. Non-Minority	$0	----	$0	----	$0	----	$0	----	$0	----	$0	----
Non-Minority	$0	----	$0	----	$0	----	$0	----	$0	----	$0	----
Total	$0	----	$0	----	$0	----	$0	----	$0	----	$0	----

Other Departments

Number of Prime Contracts

	Construction		A&E		Professional Services		Purchasing		Telecommunication		All Industries	
	Freq	Percent	Freq	Percent	Freq	Percent	Freq	Percent	Freq	Percent	Freq	Percent
Cert. African American	1	3.7%	0	0.0%	8	0.4%	351	0.5%	2	5.7%	362	0.5%
Cert. Arab American	0	0.0%	0	0.0%	1	0.0%	28	0.0%	0	0.0%	29	0.0%
Cert. Asian American	2	7.4%	1	6.7%	7	0.3%	786	1.1%	0	0.0%	796	1.0%
Cert. Latino American	1	3.7%	0	0.0%	7	0.3%	505	0.7%	1	2.9%	514	0.7%
Cert. Non-Minority	0	0.0%	1	6.7%	42	2.1%	3,358	4.5%	0	0.0%	3,401	4.4%
Non-Minority	23	85.2%	13	86.7%	1,964	96.8%	69,593	93.3%	32	91.4%	71,625	93 4%
Total	27	100.0%	15	100.0%	2,029	100.0%	74,621	100.0%	35	100.0%	76,727	100 0%

Prime Award

	Construction		A&E		Professional Services		Purchasing		Telecommunication		All Industries	
	Award	Percent	Award	Percent	Award	Percent	Award	Percent	Award	Percent	Award	Percent
Cert. African American	$227	0.2%	$0	0.0%	$33,358	0.1%	$5,894,021	1.2%	$152,465	2.9%	$6,080,071	1.1%
Cert. Arab American	$0	0.0%	$0	0.0%	$0	0.0%	$211,822	0.0%	$0	0.0%	$211,822	0 0%
Cert. Asian American	$3,900	4.0%	$16,109	2.2%	$10,634	0.0%	$9,709,762	1.9%	$0	0.0%	$9,740,406	1.8%
Cert. Latino American	$117	0.1%	$0	0.0%	$2,223,093	7.3%	$7,722,767	1.5%	$197	0.0%	$9,946,174	1.8%
Cert. Non-Minority	$0	0.0%	$3,882	0.5%	$130,587	0.4%	$17,329,205	3.4%	$0	0.0%	$17,463,674	3.2%
Non-Minority	$94,269	95.7%	$725,792	97.3%	$28,149,727	92.2%	$462,368,513	91.9%	$5,138,660	97.1%	$496,476,960	92 0%
Total	$98,512	100.0%	$745,783	100.0%	$30,547,399	100.0%	$503,236,091	100.0%	$5,291,322	100.0%	$539,919,107	100.0%

Prime Payment

	Construction		A&E		Professional Services		Purchasing		Telecommunication		All Industries	
	Payment	Percent	Payment	Percent	Payment	Percent	Payment	Percent	Payment	Percent	Payment	Percent
Cert. African American	$227	0.0%	$0	0.0%	$61,058	0.1%	$3,210,825	0.7%	$148,264	5.4%	$3,420,374	0 6%
Cert. Arab American	$0	0.0%	$0	0.0%	$97,235	0.2%	$4,574	0.0%	$0	0.0%	$101,809	0.0%
Cert. Asian American	$993,025	91.3%	$16,109	9.7%	$113,559	0.2%	$7,717,208	1.7%	$0	0.0%	$8,839,902	1.7%
Cert. Latino American	$117	0.0%	$0	0.0%	$9,785,510	15.5%	$5,597,224	1.2%	$197	0.0%	$15,383,047	2.9%
Cert. Non-Minority	$0	0.0%	$3,882	2.3%	$2,136,054	3.4%	$15,937,055	3.5%	$0	0.0%	$18,076,991	3.4%
Non-Minority	$94,269	8.7%	$146,278	88.0%	$51,028,984	80.7%	$427,433,270	92.9%	$2,586,895	94 6%	$481,289,696	91 3%
Total	$1,087,637	100.0%	$166,269	100.0%	$63,222,399	100.0%	$459,900,157	100.0%	$2,735,356	100.0%	$527,111,818	100 0%

Other Departments

Number of Sub Contracts

	Construction		A&E		Professional Services		Purchasing		Telecommunication		All Industries	
	Freq	Percent	Freq	Percent	Freq	Percent	Freq	Percent	Freq	Percent	Freq	Percent
Cert. African American	0	----	0	----	1	8.3%	0	----	0	----	1	8.3%
Cert. Arab American	0	----	0	----	0	0.0%	0	----	0	----	0	0.0%
Cert. Asian American	0	----	0	----	3	25.0%	0	----	0	----	3	25.0%
Cert. Latino American	0	----	0	----	1	8.3%	0	----	0	----	1	8.3%
Cert. Non-Minority	0	----	0	----	3	25.0%	0	----	0	----	3	25.0%
Non-Minority	0	----	0	----	4	33.3%	0	----	0	----	4	33.3%
Total	0	----	0	----	12	100.0%	0	----	0	----	12	100.0%

Sub Award

	Construction		A&E		Professional Services		Purchasing		Telecommunication		All Industries	
	Award	Percent	Award	Percent	Award	Percent	Award	Percent	Award	Percent	Award	Percent
Cert. African American	$0	----	$0	----	$0	----	$0	----	$0	----	$0	----
Cert. Arab American	$0	----	$0	----	$0	----	$0	----	$0	----	$0	----
Cert. Asian American	$0	----	$0	----	$0	----	$0	----	$0	----	$0	----
Cert. Latino American	$0	----	$0	----	$0	----	$0	----	$0	----	$0	----
Cert. Non-Minority	$0	----	$0	----	$0	----	$0	----	$0	----	$0	----
Non-Minority	$0	----	$0	----	$0	----	$0	----	$0	----	$0	----
Total	$0	----	$0	----	$0	----	$0	----	$0	----	$0	----

Sub Payment

	Construction		A&E		Professional Services		Purchasing		Telecommunication		All Industries	
	Payment	Percent	Payment	Percent	Payment	Percent	Payment	Percent	Payment	Percent	Payment	Percent
Cert. African American	$0	----	$0	----	$5,400	9.3%	$0	----	$0	----	$5,400	9.3%
Cert. Arab American	$0	----	$0	----	$0	0.0%	$0	----	$0	----	$0	0.0%
Cert. Asian American	$0	----	$0	----	$4,790	8.2%	$0	----	$0	----	$4,790	8.2%
Cert. Latino American	$0	----	$0	----	$9,778	16.8%	$0	----	$0	----	$9,778	16.8%
Cert. Non-Minority	$0	----	$0	----	$12,345	21.2%	$0	----	$0	----	$12,345	21.2%
Non-Minority	$0	----	$0	----	$25,829	44.4%	$0	----	$0	----	$25,829	44.4%
Total	$0	----	$0	----	$58,142	100.0%	$0	----	$0	----	$58,142	100.0%

APPENDIX 2

All Departments

Number of Prime Contracts

	Construction		A&E		Professional Services		Purchasing		Telecommunication		All Industries	
	Freq	Percent	Freq	Percent	Freq	Percent	Freq	Percent	Freq	Percent	Freq	Percent
Cert. African American	13	1.7%	2	1.3%	24	0.5%	1,485	0.8%	3	1.3%	1,527	0 8%
Cert. Arab American	3	0.4%	0	0.0%	2	0.0%	83	0.0%	0	0.0%	88	0 0%
Cert. Asian American	70	9.3%	20	12.9%	63	1.3%	2,588	1.3%	0	0.0%	2,741	1.3%
Cert. Latino American	83	11.1%	6	3.9%	18	0.4%	970	0.5%	2	0.9%	1,079	0.5%
Cert. Non-Minority	205	27.3%	20	12.9%	157	3.3%	10,698	5.4%	4	1.7%	11,084	5.5%
Non-Minority	377	50.2%	107	69.0%	4,501	94.5%	181,457	92.0%	225	96.2%	186,667	91 9%
Total	751	100.0%	155	100.0%	4,765	100.0%	197,281	100.0%	234	100.0%	203,186	100.0%

Prime Award

	Construction		A&E		Professional Services		Purchasing		Telecommunication		All Industries	
	Award	Percent	Award	Percent	Award	Percent	Award	Percent	Award	Percent	Award	Percent
Cert. African American	$7,690,395	0.7%	$69,751	0.1%	$530,273	0.1%	$7,302,446	0.9%	$155,064	1.0%	$15,747,929	0.6%
Cert. Arab American	$166,720	0.0%	$0	0.0%	$155,425	0.0%	$255,821	0.0%	$0	0.0%	$577,966	0.0%
Cert. Asian American	$62,065,171	5.6%	$7,012,374	6.9%	$7,618,298	1.5%	$13,960,092	1.8%	$0	0.0%	$90,655,936	3.6%
Cert. Latino American	$87,394,152	7.9%	$12,681,341	12.4%	$3,066,286	0.6%	$9,163,206	1.2%	$355	0.0%	$112,305,341	4.5%
Cert. Non-Minority	$107,478,678	9.7%	$27,753,191	27.1%	$26,167,291	5.1%	$33,872,945	4.3%	$152,079	1.0%	$195,424,184	7.8%
Non-Minority	$841,618,904	76.1%	$54,705,231	53.5%	$472,979,084	92.6%	$717,301,618	91.7%	$14,994,158	98.0%	$2,101,598,996	83 5%
Total	$1,106,414,020	100.0%	$102,221,887	100.0%	$510,516,659	100.0%	$781,856,128	100 0%	$15,301,657	100.0%	$2,516,310,351	100 0%

Prime Payment

	Construction		A&E		Professional Services		Purchasing		Telecommunication		All Industries	
	Payment	Percent	Payment	Percent	Payment	Percent	Payment	Percent	Payment	Percent	Payment	Percent
Cert. African American	$6,972,335	1.2%	$42,785	0.0%	$2,591,667	0.5%	$4,580,621	0.6%	$150,864	0.9%	$14,338,272	0.7%
Cert. Arab American	$177,146	0.0%	$0	0.0%	$252,660	0.0%	$38,300	0.0%	$0	0.0%	$468,105	0.0%
Cert. Asian American	$38,435,811	6.5%	$7,461,289	8.1%	$4,391,175	0.8%	$11,864,721	1.7%	$0	0.0%	$62,152,996	3.2%
Cert. Latino American	$54,155,942	9.2%	$13,065,720	14.2%	$10,721,606	1.9%	$7,043,820	1.0%	$355	0.0%	$84,987,443	4.3%
Cert. Non-Minority	$88,581,118	15.1%	$26,495,442	28.7%	$30,652,328	5.5%	$32,221,325	4.5%	$213,093	1.3%	$178,163,306	9.1%
Non-Minority	$399,458,277	68.0%	$45,098,420	48.9%	$510,330,853	91 3%	$652,718,953	92.1%	$16,671,251	97.9%	$1,624,277,755	82.7%
Total	$587,780,630	100.0%	$92,163,657	100.0%	$558,940,289	100.0%	$708,467,739	100.0%	$17,035,563	100.0%	$1,964,387,878	100 0%

All Departments

Number of Sub Contracts

	Construction		A&E		Professional Services		Purchasing		Telecommunication		All Industries	
	Freq	Percent	Freq	Percent	Freq	Percent	Freq	Percent	Freq	Percent	Freq	Percent
Cert. African American	163	7.7%	40	7.4%	89	7.7%	0	0.0%	0	----	292	7 7%
Cert. Arab American	2	0.1%	2	0.4%	1	0.1%	0	0.0%	0	----	5	0.1%
Cert. Asian American	324	15.3%	94	17.5%	167	14.4%	2	22.2%	0	----	587	15.4%
Cert. Latino American	296	14.0%	44	8.2%	33	2.8%	1	11.1%	0	----	374	9.8%
Cert. Non-Minority	427	20.2%	85	15.8%	237	20.5%	1	11.1%	0	----	750	19.7%
Non-Minority	900	42.6%	272	50.7%	631	54.5%	5	55.6%	0	----	1,808	47.4%
Total	2,112	100.0%	537	100.0%	1,158	100.0%	9	100.0%	0	----	3,816	100 0%

Sub Award

	Construction		A&E		Professional Services		Purchasing		Telecommunication		All Industries	
	Award	Percent	Award	Percent	Award	Percent	Award	Percent	Award	Percent	Award	Percent
Cert. African American	$25,166,513	6.9%	$1,941,140	4.8%	$2,648,908	10.0%	$0	0.0%	$0	----	$29,756,561	6.9%
Cert. Arab American	$1,879,000	0.5%	$0	0.0%	$0	0.0%	$0	0.0%	$0	----	$1,879,000	0.4%
Cert. Asian American	$44,995,060	12.3%	$8,152,490	20.0%	$4,140,651	15.6%	$227,300	55.5%	$0	----	$57,515,501	13 2%
Cert. Latino American	$49,345,887	13.5%	$6,474,826	15.9%	$848,369	3.2%	$33,500	8.2%	$0	----	$56,702,582	13.1%
Cert. Non-Minority	$58,760,930	16.0%	$5,829,221	14.3%	$3,998,708	15.0%	$68,000	16.6%	$0	----	$68,656,859	15 8%
Non-Minority	$186,277,455	50.8%	$18,450,200	45.2%	$14,934,241	56.2%	$81,080	19.8%	$0	----	$219,742,977	50.6%
Total	$366,424,845	100.0%	$40,847,877	100.0%	$26,570,877	100.0%	$409,880	100.0%	$0	----	$434,253,479	100.0%

Sub Payment

	Construction		A&E		Professional Services		Purchasing		Telecommunication		All Industries	
	Payment	Percent	Payment	Percent	Payment	Percent	Payment	Percent	Payment	Percent	Payment	Percent
Cert. African American	$13,291,029	6.1%	$951,404	2.8%	$2,916,022	9 5%	$0	----	$0	----	$17,158,456	6 1%
Cert. Arab American	$0	0.0%	$58,800	0.2%	$79,966	0.3%	$0	----	$0	----	$138,766	0 0%
Cert. Asian American	$30,208,053	13.8%	$3,808,842	11.3%	$3,584,221	11.7%	$0	----	$0	----	$37,601,117	13.3%
Cert. Latino American	$33,267,065	15.2%	$6,026,002	17.9%	$898,467	2.9%	$0	----	$0	----	$40,191,534	14 2%
Cert. Non-Minority	$41,652,786	19.1%	$3,471,902	10.3%	$5,929,418	19.4%	$0	----	$0	----	$51,054,106	18 0%
Non-Minority	$100,210,133	45.8%	$19,298,953	57.4%	$17,209,529	56.2%	$0	----	$0	----	$136,718,615	48 3%
Total	$218,629,067	100.0%	$33,615,903	100.0%	$30,617,623	100.0%	$0	----	$0	----	$282,862,593	100.0%

APPENDIX 3

Departmental Progress towards meeting Mayor's MBE Goals
Prime and Sub Contracts

These percentages are based on the contract award or the contract payment.

Data Gathered from January 1998 to November 2001

Department	Construction		A&E		Professional Serv		Purchasing		Telecommunications	
	Award	Payment	Award	Payment	Award	Payment	Award	Payment	Award	Payment
Airport Commission	11.64%	15.79%	8.14%	2.21%	4.32%	5.72%	1.15%	1.07%	----	----
Department of Public Transportation	18.45%	0.00%	0.00%	0.00%	0.00%	0.00%	1.34%	1.26%	----	----
Department of Public Works	24.12%	30.95%	30.45%	23.66%	12.34%	15.72%	2.33%	2.33%	----	----
Department of Telecommunications	----	----	----	----	0.83%	0.48%	1.26%	1.23%	0.02%	0.01%
Parking and Traffic Commission	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	1.16%	1.13%	----	----
Port	28.60%	19.68%	0.49%	0.00%	11.63%	12.35%	1.17%	1.11%	0.00%	----
Public Utilities Commission	38.71%	40.98%	8.61%	9.04%	6.56%	18.03%	2.13%	3.87%	----	----
Office of the City Attorney	----	----	----	----	0.00%	0.00%	1.99%	1.99%	----	----
Department of Human Resources	----	----	----	----	0.00%	0.00%	0.79%	0.78%	----	----
Department of Human Services	----	----	100.00%	100.00%	0.56%	0.06%	11.11%	11.14%	----	----
Department of Health Services	0.00%	0.00%	----	----	4.02%	1.08%	4.57%	4.54%	----	----
Retirement Services	----	----	----	----	0.04%	0.04%	0.52%	2.40%	----	----
Treasurer/Tax Collector	0.00%	0.00%	----	----	0.74%	2.29%	0.14%	0.08%	0.00%	0.00%
Other Departments	4.25%	0.38%	2.16%	9.69%	0.11%	0.08%	4.82%	4.09%	0.00%	0.01%
Department of Purchasing	----	----	----	----	0.00%	0.00%	6.75%	6.72%	----	----
All Departments	22.17%	26.82%	29.71%	23.23%	4.56%	3.82%	4.04%	3.67%	0.01%	0.01%

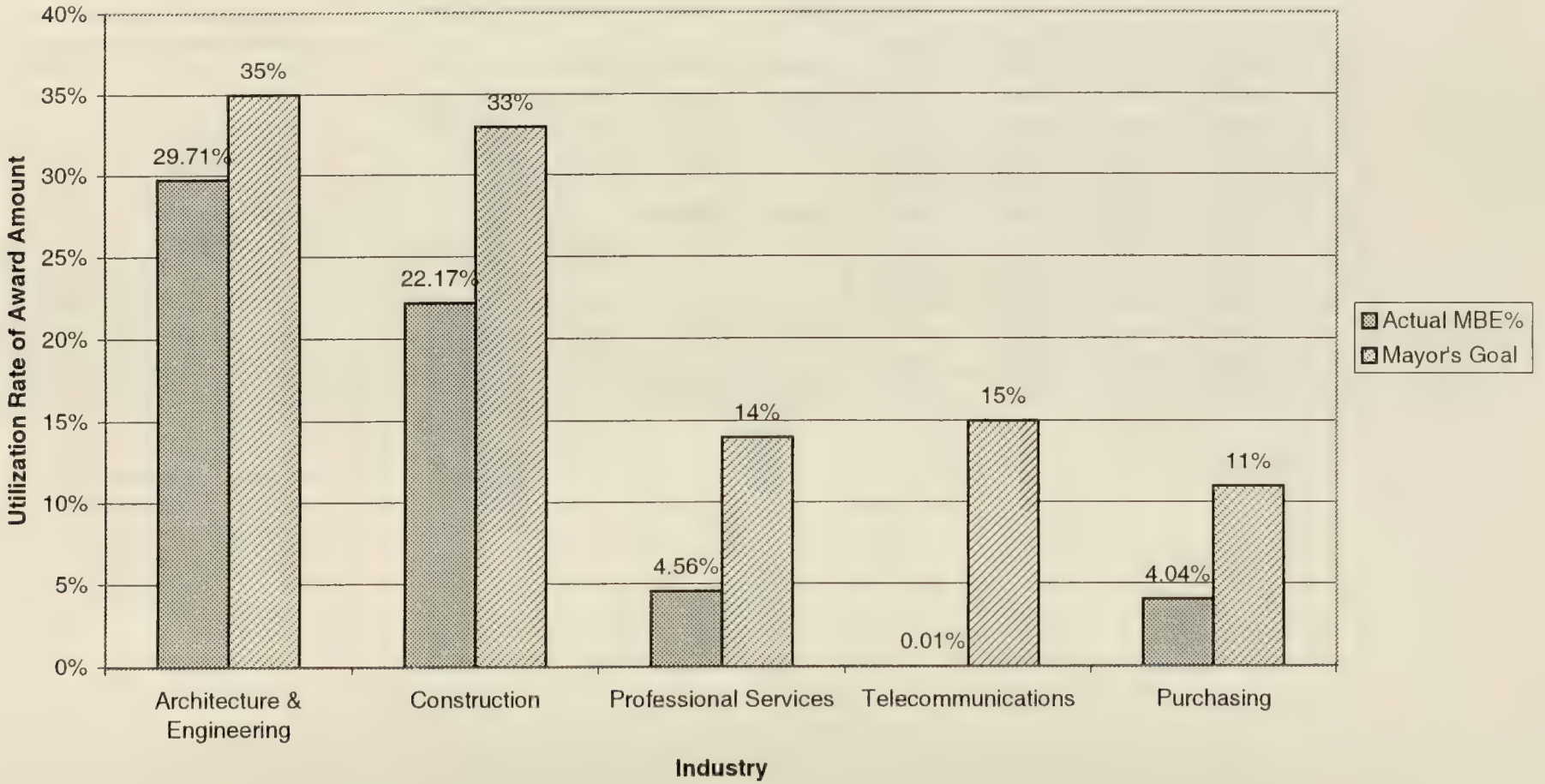
Mayor's MBE Goals

Architecture & Engineering	35%
Construction	33%
Professional Services	14%
Telecommunications	15%
Purchasing	11%

Departmental Progress towards meeting Mayor's MBE Goals
Prime and Sub Contracts

Actual MBE% Vs. Mayor's Goal

Data Gathered from January 1998 to November 2001



Departmental Progress towards meeting Mayor's WBE Goals
Prime and Sub Contracts

These percentages are based on the contract award or the contract payment.

Data Gathered from January 1998 to November 2001

Department	Construction		A&E		Professional Serv		Purchasing		Telecommunications	
	Award	Payment	Award	Payment	Award	Payment	Award	Payment	Award	Payment
Airport Commission	7.57%	8.64%	1.58%	1.65%	6.46%	2.36%	1.15%	1.09%	----	----
Department of Public Transportation	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	1.18%	14.41%	----	----
Department of Public Works	14.07%	4.08%	21.54%	11.33%	6.46%	3.36%	2.31%	1.77%	----	----
Department of Telecommunications	----	----	----	----	0.25%	1.29%	1.20%	0.33%	0.02%	0.69%
Parking and Traffic Commission	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	1.11%	0.92%	----	----
Port	16.40%	16.24%	0.00%	0.00%	10.10%	7.31%	1.25%	0.78%	0.00%	----
Public Utilities Commission	27.43%	16.12%	8.63%	3.01%	7.79%	9.51%	2.10%	1.30%	----	----
Office of the City Attorney	----	----	----	----	0.00%	0.04%	1.99%	0.06%	----	----
Department of Human Resources	----	----	----	----	0.00%	0.00%	0.77%	0.51%	----	----
Department of Human Services	----	----	100.00%	0.00%	0.56%	0.04%	10.87%	1.32%	----	----
Department of Health Services	0.00%	35.79%	----	----	8.85%	0.92%	4.46%	1.12%	----	----
Retirement Services	----	----	----	----	0.03%	0.00%	2.65%	0.03%	----	----
Treasurer/Tax Collector	0.00%	0.00%	----	----	0.74%	0.76%	0.14%	0.10%	0.00%	0.00%
Other Departments	4.25%	0.01%	2.16%	2.33%	0.16%	0.35%	3.73%	1.91%	0.00%	0.00%
Department of Purchasing	----	----	----	----	0.00%	0.00%	6.68%	2.67%	----	----
All Departments	14.25%	9.74%	20.94%	11.12%	4.19%	1.67%	3.32%	2.70%	0.01%	0.58%

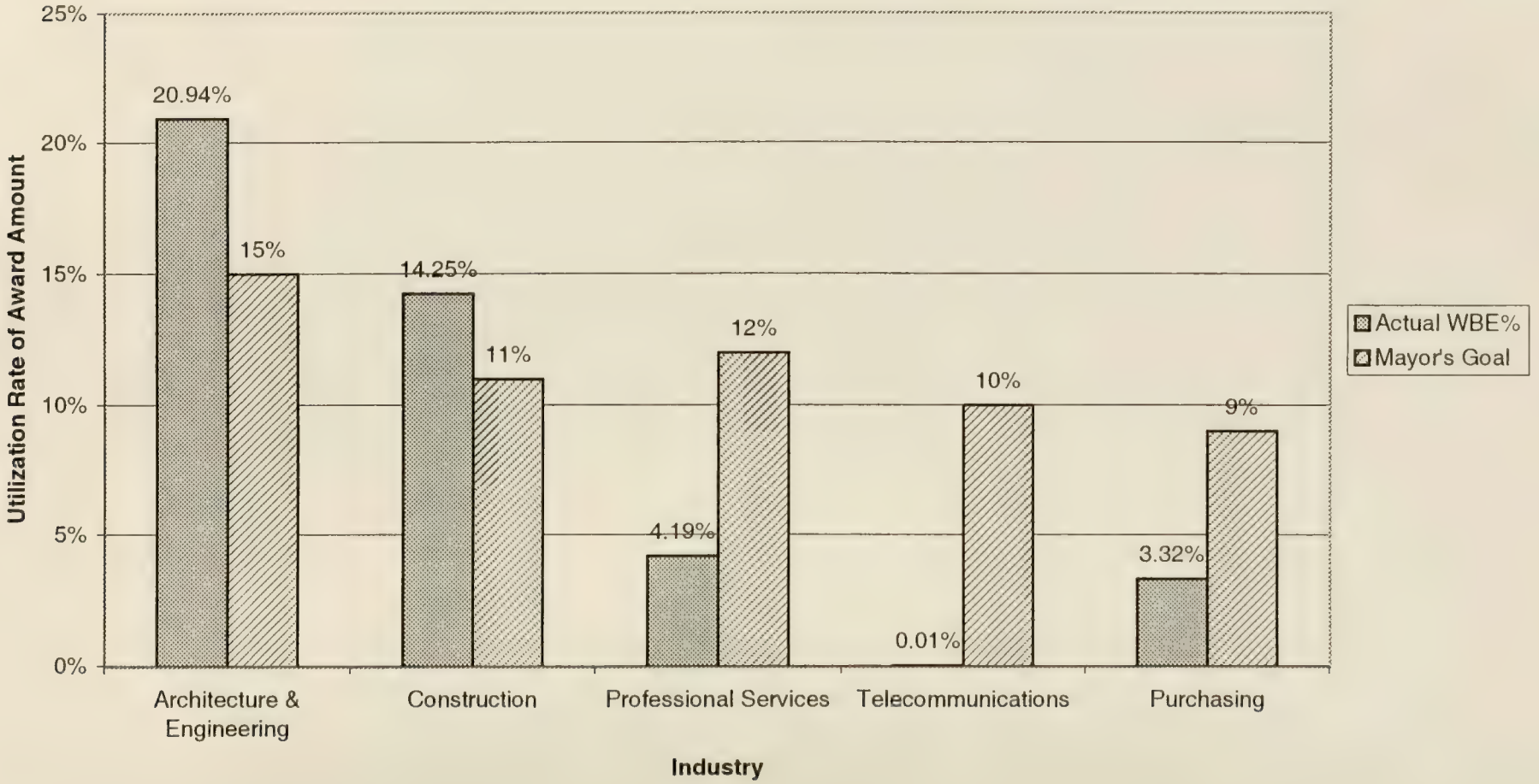
Mayor's WBE Goals

Architecture & Engineering	15%
Construction	11%
Professional Services	12%
Telecommunications	10%
Purchasing	9%

Departmental Progress towards meeting Mayor's WBE Goals
Prime and Sub Contracts

Actual WBE% Vs. Mayor's Goal

Data Gathered from January 1998 to November 2001



APPENDIX 4

Contract Summary of Closed Contracts from Selected Departments
January 1998 to November 2001 (Construction, Architecture & Engineering, Professional Services)

Selected Departments	Number of Contracts	Award Amount	Payment Amount	Award Allocation	Payment Allocation
Airport Commission	75	$27,142,525	$26,650,847	$27,142,525	$26,650,847
Department Of Public Works	127	$42,218,962	$44,764,643	$42,218,962	$44,435,651
Human Resources	14	$0	$19,054,600	$0	$1,288,417
Parking And Traffic Commission	4	$17,787,388	$2,476,003	$17,787,388	$2,476,003
Port	142	$2,165,922	$2,011,951	$2,165,922	$2,011,951
Public Utilities Commission	32	$10,287,631	$8,947,790	$10,287,631	$8,878,650
Public Utilities: Clean Water	112	$41,492,755	$37,186,471	$41,492,755	$37,130,347
Public Utilities: Hetch Hetchy	16	$5,447,434	$4,918,721	$5,447,434	$4,918,721
Public Utilities: Water Department	71	$18,404,792	$15,911,205	$18,404,792	$15,919,429
Purchasing	1	$0	$53,252	$0	$0
Retirement Services	26	$1,609,774	$1,687,859	$1,609,774	$1,687,859
Telecommunications & Information S	80	$24,540,294	$17,622,828	$24,540,294	$17,613,369
Grand Total	700	$191,097,477	$181,286,172	$191,097,477	$163,011,245

NOTE:

Award Amount	Sum of all contracts awarded.
Payment	Sum of all payments made by the City.
Award Allocation	Sum of the breakdown of awards made to Prime and Subcontractors. (This sum should equal the Award Amount if the awards are properly allocated.)
Payment Allocation	Sum of the breakdown of payments to both Prime and Subcontractors. (This sum should equal the Payment Amount if the payments are properly allocated.)

Percent of MBE and WBE Award Allocation of Closed Contracts from Selected Departments January 1998 to November 2001 (Construction, Architecture & Engineering, Professional Services)

Primes and Subs

	Minority		Non-Minority		Award	% of all Dollars	
Selected Departments	**Female**	**Male**	**Female**	**Male**	**Allocation**	**MBE%**	**WBE%**
Airport Commission	$345,690	$2,843,265	$3,251,479	$20,702,091	$27,142,525	11.4%	12.3%
Department Of Public Works	$2,094,891	$7,686,284	$1,953,563	$30,484,225	$42,218,962	21.9%	5.9%
Human Resources	$0	$0	$0	$0	$0	----	----
Parking And Traffic Commission	$0	$105,000	$0	$17,682,388	$17,787,388	0.6%	0.0%
Port	$165,507	$451,030	$34,575	$1,514,810	$2,165,922	26.6%	3.5%
Public Utilities Commission	$888,254	$707,238	$622,786	$8,069,353	$10,287,631	13.4%	8.2%
Public Utilities: Clean Water	$1,649,294	$12,826,565	$7,812,123	$19,204,773	$41,492,755	33.9%	19.8%
Public Utilities: Hetch Hetchy	$144,250	$2,650,732	$324,755	$2,327,698	$5,447,434	50.6%	6.6%
Public Utilities: Water Department	$999,230	$5,527,400	$3,913,163	$7,964,999	$18,404,792	34.1%	22.6%
Purchasing	$0	$0	$0	$0	$0	----	----
Retirement Services	$0	$0	$0	$1,609,774	$1,609,774	0.0%	0.0%
Telecommunications & Information Svc	$198,025	$295,000	$307,500	$23,739,769	$24,540,294	1.8%	1.5%
Grand Total	$6,485,141	$33,092,514	$18,219,943	$133,299,879	$191,097,477	19.9%	10.4%

Primes

	Minority		Non Minority		Award	% of Prime	
Selected Departments	**Female**	**Male**	**Female**	**Male**	**Allocation**	**MBE%**	**WBE%**
Airport Commission	$200,000	$724,869	$1,356,389	$13,990,467	$16,271,725	5.4%	8.6%
Department Of Public Works	$612,351	$4,430,112	$1,458,589	$26,863,306	$33,364,358	14.7%	4.8%
Human Resources	$0	$0	$0	$0	$0	----	----
Parking And Traffic Commission	$0	$105,000	$0	$16,229,689	$16,334,689	0.6%	0.0%
Port	$158,007	$436,030	$19,575	$1,377,010	$1,990,622	27.9%	3.0%
Public Utilities Commission	$772,074	$472,500	$546,006	$8,049,353	$9,839,933	10.7%	7.5%
Public Utilities: Clean Water	$99,989	$9,145,640	$6,233,883	$18,163,235	$33,642,746	27.4%	18.6%
Public Utilities: Hetch Hetchy	$0	$2,320,756	$0	$1,436,757	$3,757,513	61.8%	0.0%
Public Utilities: Water Department	$0	$2,969,736	$2,892,813	$7,424,862	$13,287,411	22.3%	21.8%
Purchasing	$0	$0	$0	$0	$0	----	----
Retirement Services	$0	$0	$0	$1,609,774	$1,609,774	0.0%	0.0%
Telecommunications & Information Svc	$198,025	$295,000	$307,500	$23,739,769	$24,540,294	1.8%	1.5%
Grand Total	$2,040,446	$20,899,643	$12,814,754	$118,884,221	$154,639,064	14.5%	8.6%

Subs

	Minority		Non Minority		Award	% of Sub	
Selected Departments	**Female**	**Male**	**Female**	**Male**	**Allocation**	**MBE%**	**WBE%**
Airport Commission	$145,690	$2,118,396	$1,895,090	$6,711,624	$10,870,800	20.5%	17.8%
Department Of Public Works	$1,482,540	$3,256,172	$494,974	$3,620,919	$8,854,605	49.3%	9.8%
Human Resources	$0	$0	$0	$0	$0	----	----
Parking And Traffic Commission	$0	$0	$0	$1,452,699	$1,452,699	0.0%	0.0%
Port	$7,500	$15,000	$15,000	$137,800	$175,300	11.8%	9.6%
Public Utilities Commission	$116,180	$234,738	$76,780	$20,000	$447,698	71.9%	23.6%
Public Utilities: Clean Water	$1,549,305	$3,680,925	$1,578,240	$1,041,539	$7,850,009	61.7%	25.0%
Public Utilities: Hetch Hetchy	$144,250	$329,976	$324,755	$890,941	$1,689,922	25.9%	21.4%
Public Utilities: Water Department	$999,230	$2,557,664	$1,020,350	$540,137	$5,117,381	64.6%	24.8%
Purchasing	$0	$0	$0	$0	$0	----	----
Retirement Services	$0	$0	$0	$0	$0	----	----
Telecommunications & Information Svc	$0	$0	$0	$0	$0	----	----
Grand Total	$4,444,695	$12,192,871	$5,405,189	$14,415,658	$36,458,413	42.6%	17.9%

Percent of MBE and WBE Payment Allocation of Closed Contracts from Selected Departments January 1998 to November 2001 (Construction, Architecture & Engineering, Professional Services)

Primes and Subs

	Minority		Non-Minority		Payment	% of all Dollars	
Selected Departments	**Female**	**Male**	**Female**	**Male**	**Allocation**	**MBE%**	**WBE%**
Airport Commission	$410,308	$2,573,129	$3,286,417	$20,380,993	$26,650,847	10.8%	12.7%
Department Of Public Works	$2,494,662	$8,153,761	$1,048,205	$32,739,023	$44,435,651	22.6%	3.8%
Human Resources	$0	$0	$0	$1,288,417	$1,288,417	0.0%	0.0%
Parking And Traffic Commission	$0	$104,794	$0	$2,371,209	$2,476,003	4.2%	0.0%
Port	$162,139	$489,841	$16,087	$1,343,884	$2,011,951	30.4%	2.8%
Public Utilities Commission	$1,038,971	$1,168,013	$1,172,652	$5,499,013	$8,878,650	21.9%	16.1%
Public Utilities: Clean Water	$2,445,416	$11,282,018	$6,651,032	$16,751,881	$37,130,347	35.3%	19.6%
Public Utilities: Hetch Hetchy	$75,075	$2,701,645	$198,856	$1,943,145	$4,918,721	56.1%	4.4%
Public Utilities: Water Department	$1,017,035	$5,118,269	$3,177,845	$6,606,280	$15,919,429	36.9%	21.6%
Purchasing	$0	$0	$0	$0	$0	----	----
Retirement Services	$0	$0	$0	$1,687,859	$1,687,859	0.0%	0.0%
Telecommunications & Information Svc	$86,446	$71,189	$206,819	$17,248,915	$17,613,369	0.8%	1.3%
Grand Total	$7,730,052	$31,662,658	$15,757,914	$107,860,620	$163,011,245	23.0%	10.9%

Primes

	Minority		Non-Minority		Payment	% of Prime	
Selected Departments	**Female**	**Male**	**Female**	**Male**	**Allocation**	**MBE%**	**WBE%**
Airport Commission	$280,905	$517,643	$1,287,902	$12,693,138	$14,779,588	4.9%	9.2%
Department Of Public Works	$938,701	$5,092,664	$324,690	$29,505,816	$35,861,871	16.2%	1.6%
Human Resources	$0	$0	$0	$1,288,417	$1,288,417	0.0%	0.0%
Parking And Traffic Commission	$0	$104,794	$0	$2,371,209	$2,476,003	4.2%	0.0%
Port	$156,469	$486,961	$13,400	$1,161,761	$1,818,591	33.2%	2.9%
Public Utilities Commission	$467,549	$546,346	$251,007	$3,676,736	$4,941,639	18.2%	7.4%
Public Utilities: Clean Water	$71,025	$7,926,995	$5,066,077	$15,214,271	$28,278,368	28.2%	18.0%
Public Utilities: Hetch Hetchy	$0	$2,477,079	$0	$1,123,104	$3,600,183	68.8%	0.0%
Public Utilities: Water Department	$0	$2,663,534	$2,115,630	$6,114,014	$10,893,178	24.5%	19.4%
Purchasing	$0	$0	$0	$0	$0	----	----
Retirement Services	$0	$0	$0	$1,687,859	$1,687,859	0.0%	0.0%
Telecommunications & Information Svc	$86,446	$71,189	$206,819	$17,248,915	$17,613,369	0.8%	1.3%
Grand Total	$2,001,094	$19,887,205	$9,265,526	$92,085,242	$123,239,067	17.4%	7.9%

Subs

	Minority		Non-Minority		Payment	% of Sub	
Selected Departments	**Female**	**Male**	**Female**	**Male**	**Allocation**	**MBE%**	**WBE%**
Airport Commission	$129,404	$2,055,486	$1,998,516	$7,687,854	$11,871,259	18.1%	17.1%
Department Of Public Works	$1,555,961	$3,061,097	$723,514	$3,233,207	$8,573,780	49.3%	13.0%
Human Resources	$0	$0	$0	$0	$0	----	----
Parking And Traffic Commission	$0	$0	$0	$0	$0	----	----
Port	$5,670	$2,880	$2,687	$182,123	$193,360	3.7%	2.1%
Public Utilities Commission	$571,422	$621,667	$921,645	$1,822,277	$3,937,011	26.7%	27.0%
Public Utilities: Clean Water	$2,374,391	$3,355,023	$1,584,955	$1,537,611	$8,851,979	58.0%	24.6%
Public Utilities: Hetch Hetchy	$75,075	$224,566	$198,856	$820,041	$1,318,537	21.3%	16.5%
Public Utilities: Water Department	$1,017,035	$2,454,735	$1,062,215	$492,266	$5,026,252	64.0%	26.2%
Purchasing	$0	$0	$0	$0	$0	----	----
Retirement Services	$0	$0	$0	$0	$0	----	----
Telecommunications & Information Svc	$0	$0	$0	$0	$0	----	----
Grand Total	$5,728,958	$11,775,454	$6,492,388	$15,775,378	$39,772,178	40.4%	19.9%

JAMISON GREEN

S.F. HUMAN RIGHTS COMMISSION
01 NOV 13 PM 12 22

November 12, 2001

Mr. Marcus Arana
San Francisco Human Rights Commission
25 Van Ness Avenue, Suite 800
San Francisco, CA 94102

Dear Mr. Arana:-

This letter is to express my interest in serving on the Transgender Civil Rights Implementation Task Force for the period of January through June 2002. As the author of the Commission's 1994 "Report on Discrimination Against Transgendered People," I am quite familiar with the issues facing the transgender community. I understand that the present task force is using this document as the blueprint for action that it was intended to be, and members of the task force have consulted with me periodically over the past several months to ascertain the underlying meaning behind specific recommendations.

In addition to working on promoting the safety, dignity, and equal civil rights of transgendered and transsexual people in San Francisco, I have worked on legislation at the state level, assisted activists in drafting and lobbying for protective legislation in several other states and countries, and organized numerous national conferences to promote transgender community and awareness. In cooperation with SFPD Sgt. Stephan Thorne, I have been conducting transgender awareness trainings for the San Francisco Police Academy since June of 1995. We also trained the entire City of Berkeley Police Department in March/April, 2001. I was the leader of FTM International, Inc., the world's largest and longest running educational group serving the interests of female-to-male transgendered and transsexual people, from March 1991 until August 1, 1999. Presently, I am board chairman of Gender Education & Advocacy, Inc., a national educational organization based in Atlanta, GA. I also write a monthly column and numerous articles on transgender issues, speak frequently on college campuses and in public and private settings around the world, and serve on the legal issues committee of the Harry Benjamin International Gender Dysphoria Association, the organization for professionals who provide medical and psychological services to transgendered people. I am well acquainted with traversing the many intersections where the transgender community encounters friction against the non-trans world. My goal is to lessen, if not eradicate, that friction to make the world safer for everyone.

I would be honored to serve the City of San Francisco once again on behalf of the transgender community. My resume is enclosed. Should you have any questions, please don't hesitate to contact me. The address listed on my resume is a business address for public consumption; I would prefer the Commission to use my home address below for postal correspondence. Thank you for your consideration of my interest in serving on the task force.

Sincerely,

Jamison Green

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EMAIL: JAMISONG@AOL.COM

Jamison "James" Green

Writer, Public Speaker, Gender Diversity Consultant
5337 College Ave., #142 • Oakland, CA 94618
510-658-0474 voice • 510-547-4785 fax • JamisonG@aol.com

Education

- B.A., English, 1970, University of Oregon, Eugene, Oregon.
- M.F.A., English/Creative Writing (fiction), 1972, University of Oregon.

Employment

- Construction Cable Splicer, Pacific Northwest Bell, 1973—1976.
- Instructor of Legal Writing, Lewis & Clark Northwestern School of Law, 1977.
- Technical Writing Specialist & Sr. Technical Writer: Banking/Financial, Medical Device Development and Manufacturing companies, Computer Hardware and Software Design and Manufacturing companies, as an employee and as an independent consultant (client list includes IBM, Geoworks, NEC, Visa International, Inc., and Inovant), 1978—present.
- Publications Manager supervising writers and artists at North Star Computers, Paperback Software International, and Sun Microsystems, Inc., 1983—1991.
- Vice President of Operations with Paperback Software International, 1986—1988.
- Musician (rock'n'roll) 1965—1985, percussionist (Afro-Brazilian style) 1991—1996; Ski Instructor, 1969 & 1970; Freelance Photographer, (medical, landscapes, architectural, casual portraits) 1979—1996; Voice Actor (TV commercials, radio, multimedia) 1993—present.
- President of FTM International, non-profit educational corp., 1991—1999 (volunteer position; not compensated).
- Board Chair, Gender Education and Advocacy (GEA), non-profit educational corp., January 1, 2000 to present (volunteer position; not compensated).
- Columnist, PlanetOut.com, "Visible Man" on the People Page, Transland section, December 1999—present.

Publications (non-technical)

- *Eyes*, short story collection, Olive Press, Portland, Oregon, 1976.
- "Circling" (short story) *Harpies Monthly* journal, 1984 (nominated for the 1984 Pushcart Prize).
- "Organic Life", (short story) *Harpies Quarterly* journal, September, 1986.
- "Meaning To Change" (short story) *Anything That Moves* magazine, 1991.
- As editor and contributing editor, numerous articles and responses to reader inquiries, *FTM Newsletter*, #15—36, April, 1991—February, 1997.
- "Getting Real About FTM Surgery" (article) *Chrysalis, The Journal of Transgressive Gender Identities*, Vol. 2, No. 2, July, 1995.
- "Investigation into Discrimination Against Transgendered People" A Report from the Human Rights Commission of San Francisco, September, 1994.

Publications (non-technical) (cont'd.)

- "Gender Identity and Bisexuality" (co-authored with Dallas Denny, M.A.), chapter appearing in *Bisexuality: the psychology and politics of an invisible minority*, edited by Beth Firestein, Sage Publications, 1996.
- "FTM—An Emerging Voice" (article) appearing as a chapter in *Current Concepts in Transgender Identity* , Dallas Denny, Ed., Garland Publishers, New York, 1998.
- "Look! No, Don't!—The Visibility Dilemma for Transsexual Men" (article) appearing as a chapter in *Reclaiming Genders: Transsexual Grammars at the Fin de Siècle*, edited by Dr. Stephen Whittle and Ms. Kate More, Cassell, London & Washington D. C., June 1999; first presented as a paper at the 2nd International Congress on Sex and Gender Issues, June 21, 1997, King of Prussia, PA.
- "Foreword" to *FTM: Female-to-Male Transsexuals in Society*, by Holly Devor, Ph.D., Indiana University Press, September, 1997.
- "In the Body of a Man" published in *Cupido Magazine* (Norway) and in the anthology *Male Lust*, edited by Kay, Nagle, and Gould, Haworth Press, March 2000.
- "The Art and Nature of Gender", presented at the Third International Congress on Sex and Gender, Oxford, England, September 21, 1998; published in *Transgender Tapestry*, Spring 1999, pp. 41-48; appears as a chapter in "*Unseen Genders: Beyond the Binaries*," Haynes & McKenna (eds.), Peter Lang Publishing, New York, April 2001.
- Monthly column on Planet Out GLBT web site, debuted Dec. 15, 1999. Find it on the People page, Transland section on www.planetout.com.
- "Introduction" to *Transgender Equality: A Handbook for Activists and Policy Makers* by P. Currah & S. Minter, published by the National Gay & Lesbian Task Force and the National Center for Lesbian Rights, June 2000.

Lectures • Public Speaking

- "What Is Transsexualism?" lecture delivered regularly in numerous classes in Human Sexuality, Psychology, and Sociology, at San Francisco State University, San Jose State University, University of California at Berkeley, Stanford University, Dominican College, Sonoma State University, De Anza College, University of Santa Clara, Institute for the Advanced Study of Human Sexuality, the California School of Professional Psychology, and the San Francisco Police Academy, 1990—2001 (references available on request).
- "Discrimination" address delivered October 17, 1992, at the University of San Francisco School of Law, sponsored by the SF Bay Area Chapter of the National Lawyers Guild.
- "A Vision of Community," keynote address delivered at the FTM Conference of the Americas, San Francisco, August 18, 1995, and at the Southern Comfort Conference, Atlanta, GA, September 30, 1995.
- "Unity Among Minorities" and "Development of an Activist," lectures delivered through the auspices of the Lousiville Gender Society and the Fairness Campaign, Lexington and Louisville, Kentucky, June 7 & 8, 1996.
- "The Transgender Alliance," a panel presentation at the AASECT XXVIII Annual Conference (American Association of Sex Educators, Counselors and Therapists), Baltimore, Maryland, June 15, 1996.

Lectures • Public Speaking (cont'd)

- "Legal Oppression of Transsexual Men," a panel presentation at the International Conference on Transgender Law and Employment Policy (ICTLEP), Houston, Texas, July 5, 1996, and updated at the July 12, 1977 ICTLEP meeting, also in Houston.
- Featured speaker for National Coming Out Day, October 11, 1996, at Apple Computer, Inc., Cupertino headquarters, sponsored by Apple Lambda and the Worldwide R&D Diversity Working Group.
- "The Transgendered Individual in Today's Society," a panel presentation (delivered twice) at the West Coast Conference on Gay, Lesbian, Bisexual and Transgender Issues in Education, Union City, CA, October 26, 1996, and once at "Trans/Forming Knowledge," CUNY, Center for Lesbian and Gay Studies (CLAGS) Conference on transgender issues, May, 2, 1996 in New York City, and once more at the International Network of Lesbian and Gay Officials, November 22, 1996 in West Hollywood.
- "Transsexual Men: Basic Training for Trans and Non-Trans People," a panel presentation at the Creating Change Conference, Washington, D. C., sponsored by the National Gay and Lesbian Task Force, November 9, 1996, at Starr King School for the Ministry in April and May of 1997, and at Sojourn Chaplaincy, San Francisco General Hospital, June 24, 1997, 1998 & 1999.
- "Diversity, Inclusion and Unity of the Transgendered Community: A Working Plan Within Community Center Guidelines," a panel presentation at the Creating Change Conference, Washington, D. C., sponsored by the National Gay and Lesbian Task Force, November 9, 1996.
- "Health Care Issues for FTM People," presented as a physician's inservice at Highland Hospital, Oakland, CA, January 1995, at the ICTLEP conference in 1996 and 1997, at in-services for Quan Yin Healing Arts Center in San Francisco twice in 1997, and at the Harry Benjamin International Gender Dysphoria Association Professional Symposium, Vancouver, B.C., September 12, 1997, and at Alta Bates Hospital, Berkeley, CA, June, 1999.
- "Gender Identity and Bisexuality," presented at the Harry Benjamin International Gender Dysphoria Association Professional Symposium, Vancouver, B. C., September 12, 1997.
- "1001 Genders" (co-presenter with a team of psychologists) an all-day workshop, part of the "In Queer E" series of exploratory forums for GLBT psychotherapists in the SF Bay Area, February 28, 1998.
- Keynote Speaker for Equal!, the national Conference of Lucent Technologies GLBT employee associations, Columbus, Ohio, May 2, 1998.
- "Sexual Orientation and Gender Identity: Issues for practice and research" presented at the 106th Convention of the American Psychological Association, San Francisco, CA, August 15, 1998.
- Series of Transgender Education and Inclusion Workshops presented to the public through GLB organizations in Stockholm and Malmö, Sweden, and Copenhagen, Denmark, September 22 to October 12, 1998.
- Keynote Speaker at "First Event" sponsored by TCNE in Massachusetts, January 23, 1999.
- "Transgender Issues" at the "Sexuality Conference" at U.C. Berkeley, January 30, 1999.

Lectures • Public Speaking (cont'd)

- "Sex-Change at Stanford" with Susan Stryker, Joanne Meyerowitz, and Sandy Stone, public forum sponsored by the Social Science Research Council, Stanford Humanities Center Mellon Workshops, and the Program in Feminist Studies at Stanford, April 13, 2000.
- "Transsexual Education for Medical Professionals," presented to physicians and interns in the OB-Gyn departments at Kaiser Hospital, Oakland, and Alta Bates Hospital, Berkeley, June 11, 1999.
- "Pride is the Absence of Fear" part of the regional pride month events at Lucent Technologies, Chicago, June 22, 1999.
- Millennium March on Washington; the only transman invited to speak, Washington DC, April 30, 2000.
- San Francisco Pride main stage speaker, June 25, 2000.
- San Diego Pride speaker and honoree, July 21, 2000.
- "Transsexual Issues" lectures in Paris, France and Stockholm, Sweden, October 28 and November 2, 2000.
- "Increasing Awareness of Transgender Health Concerns" panel co-moderator at the American Public Health Association conference, Boston, MA, November 14, 2000.
- National Day of Remembrance featured speaker, U.N. Plaza, San Francisco, November 28, 2000.
- "Transgender Awareness Training for Law Enforcement," presented to the entire City of Berkeley Police Department (all staff required to attend), March & April, 2001, with San Francisco Police Sgt. Stephan Thorne.
- "Doing Effective (Trans)Gender Education" presented at the Out & Equal Workplace Summit, Cincinnati, OH, October 5, 2001.
- National Coming Out Day, October 11, 2001, keynote speaker, University of Oregon, Eugene, OR. Sponsored by ASUO Women's Center and LGBT Educational and Support Services Program.
- "Transcending Boundaries," Yale University, October 21, 2001.

Selected Media Appearances

- "The Blank Point: What is Transsexualism?" a documentary film by Xiao-Yen Wang, Beijing-San Francisco Film Group, 1991.
- "Voices from the Edge: Sexual Minorities Speak Out" panel presentation taped at the Society for the Scientific Study of Sexuality western regional conference, 1992.
- WPRI (Providence, RI) news report/interview via satellite, February, 1993.
- "Kate Bornstein: Adventures in the Gender Trade" a documentary film by Susan Marenco and Jay Mason, Filmmakers Library, Inc., New York, 1993.
- "Transsexuals Speak Out" videotape of a public panel presentation, San Francisco, produced by Loren Cameron, June, 1994.
- "The Body Lies" by Amy Bloom, interview (and photo by Amy Arbus) *New Yorker* magazine, July 18, 1994, pp.38-49.
- KALX (Berkeley, CA) radio interview, December 5, 1994.

Selected Media Appearances (cont'd)

- Charles Perez TV talk show, CBS, New York, April, 1995.
- WMBR (Cambridge, MA) radio interview, June, 21, 1995.
- "Transexual Menace" a documentary film by Rosa Von Praunheim, Germany, 1996. (Filmed in USA).
- Asahi National Broadcasting Co., Ltd., Japan, interview, April 1996.
- NDR Television, Berlin, interview with Lea Rosh for ARTE, broadcast throughout France and Germany, June, 1996.
- NHK Public Television, Japan, interview, September 26, 1996.
- "You Don't Know Dick: Courageous Hearts of Transsexual Men" a documentary film by Northern Light Productions, Boston, MA, released in 1997, winner "Best Documentary" at the New England Film Festival and the New York Lesbian & Gay Film Festival, and awarded a "Golden Apple" by the National Educational Media Network.
- "A Self-Made Man" three-page interview article in the San Francisco Chronicle, September 21, 1997, also found on the web site www.sfgate.com.
- KPIX TV news feature inspired by Chronicle article, November 19, 1997.
- GLOradio interview on health issues for GLBT travelers, taped in San Francisco at PlanetOut, May 30, 1998.
- Radio, television, and print media in Sweden in conjunction with a lecture tour conducted in September/October 1998. Airtime in September and November; print exposure in October and November, 1998, and television aired in Norway in November, 1999.
- Article in the December 23, 1998 issue of *Focus Magazine*, Tokyo, Japan, pages 39-40.
- Biographical photo essay published in *Now* magazine, England, September 1998 and *Interviú* in Spain and Columbia, South America, in January, 1999.
- Radio interview with live translation with Columbia National Radio, February 4, 1999; followed by television interview later that month.
- Featured in the article "Whose Movement Is It?" by Mubarak Dahir in *the Advocate* magazine, May 25, 1999, page 50.
- Named as one of the GLBT movement's 25 "Best and Brightest Activists" in *the Advocate*, August 17, 1999.
- Fox 11 TV, Los Angeles, interview October, 1999, aired November 9 & 10, 1999.
- Numerous citations and references in journals and books, from Loren Cameron's *Body Alchemy* (photos), to Pat Califia's *Sex Changes*, to Diane Middlebrook's *Suits Me: The Double Life of Billy Tipton*, and various law review and other academic journals.
- Radio interview on "GenderTalk" WMBR (Cambridge, MA), Jan. 3, 2000.
- Radio interview on GayBC, www.gaybc.com (British Columbia), Jan. 25, 2000.
- Fuji Television, live in Tokyo, Japan, April 22; several newspaper interviews in Japan (articles published in June, 2000) and NHK television interview in conjunction with the release of the film "Boy's Don't Cry" in Japan.
- "Pride.01: The Magazine for Gay Pride In the USA" feature on TransAmerica, the emergence of the transgender community, pp. 95-98, 2001.

Awards

- 1995 Trinity Award, for "extraordinary acts of love and courage," recognizing my leadership in the FTM community, from the International Foundation for Gender Education, Waltham, MA.
- 1995 Transgender Pioneer Award, for contributions to the law by a non-lawyer (for 1992 through 1994 work on the transgender protective ordinance in San Francisco) from the International Conference on Transgender Law and Employment Policy, Houston, TX.
- 1996 Community Leader Award, "for his countless endeavors to make us all free and proud to be who we are" from ETVC, San Francisco, CA (the nation's largest regional transgender community group, which changed its name in 1999 to TransGender San Francisco, or TGSF).
- 1998 Virginia Prince Award for "lifetime contribution to the gender community," from the International Foundation for Gender Education, Waltham, MA.
- 1999 FTM International Pride Award for "his compassion, courage, vision, and integrity" from FTM International, Inc., San Francisco, CA (presented in October, 1999 at the FTM Conference in Los Angeles, CA).
- 2000 Renaissance Transgender Education Association Individual Achievement Award, October 7, 2000, Philadelphia, PA.
- 2000 Outreach Institute of Gender Studies Award, recognizing "substantial contributions of learning and education in the area of sexuality and gender issues... [specifically] transgenderism and transsexualism."

Works in Progress

- ***Willful Destiny:*** *Becoming a Visible Man.* Now under consideration at Vanderbilt University Press.
- ***Visible Man****, a Transsexual Memoir, a Transgender Life.* Proposal now available.
- ***Visible Man*** monthly column on the PlanetOut web site, new content on the 15th of each month at http://www.planetout.com.
- ***Someone Else's Body*** (a novel) second draft in progress.
- ***Neo-Phallus: the construction of male external genitalia.*** An academic inquiry into the state of FTM genital reconstruction consisting of historical review and interviews with surgeons, patients, FTMs who are not seeking genital surgery, and partners of FTMs. Proposal available by December 2001.
- http://www.jamisongreen.com web site updated periodically.

Human Rights Commission

City and County of San Francisco

Willie L. Brown, Jr., Mayor

DOCUMENTS DEPT.

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Minutes

Regular Meeting
Thursday, December 13, 2001

DRAFT

ROSTER OF COMMISSIONERS
Ghada Saliba-Malouf, *Chair*
Larry Lee, *Vice Chair*
Haig Baghdassarian
Shirley Dimapilis
Wilfred W. Hsu
Martha Knutzen
Antonio Salazar-Hobson
Theresa Sparks
Charles L. Ward
Leslie Littleton Wilkinson

Virginia M. Harmon, *Interim Director*

Toni A. Delgado, *Commission Secretary*

ORDER OF BUSINESS

CALL TO ORDER
Commission Chair Saliba-Malouf called the meeting to order at 4:41 p.m.

ROLL CALL
Commissioners Present
Ghada Saliba-Malouf, *Chair*
Larry Lee, *Vice Chair*
Haig Baghdassarian
Shirley Dimapilis
Martha Knutzen
Theresa Sparks
Charles Ward

Commissioners Excused
Wilfred W. Hsu
Antonio Salazar-Hobson
Leslie Littleton Wilkinson

HRC Staff Present
Virginia Harmon, Interim Director; Toni A. Delgado, Commission Secretary; Frank Anderson, Lome Aseron, Larry Brinkin, Emil deGuzman, James Fields, Carmen Hererra, Ed Ilumin, Zula Jones, Diana Rathbone, Mary Gin Starkweather, Roel Villacarlos, Melinda Wesley, and Tamra Winchester

Guests Present
Catherine Barnes, Deputy City Attorney, Jonnie Robinson, Mayor's Office

A quorum was present.

APPROVAL OF MINUTES
The minutes of HRC Commission meeting of November 8, 2001, were moved (Lee), seconded (Dimapilis), and approved (unanimously).

CIRCULATE GENERAL COMMUNICATIONS FILE
There was no general communications file.

PUBLIC COMMENT ON ITEMS NOT ON THE AGENDA
There was no public comment.

REPORT OF THE CHAIR

Individual Commissioner Reports on Community Activities
Chair Saliba-Malouf attended a meeting of the Jewish Community Relations Council (JCRC). Chair Saliba-Malouf stated that the JCRC was very interested in the work the HRC was doing in the area of hate crimes and violence toward members of the Middle Eastern communities. The JCRC expressed their interest in assisting the HRC in this area.

Commissioner Dimapilis attended a ceremony welcoming the President of the Philippines, and attended the groundbreaking ceremony at the Veteran's Center.
Vice-Chair Lee stated that he and Commissioner Dimapilis, along with Frank Anderson (HRC Staff) and Ed Campos (HRC Staff), went to the Moscone Center West building site to survey the skeleton, as well as contractors, staff, et cetera.

Report on January 10 Hearing Regarding Discrimination and Hate Crimes Against Members of Arab American, Muslim, South Asian and Other Minority Communities
Commissioner Saliba-Malouf stated that she, the Director, and Nichole Truax (HRC Staff), have been working closely with Supervisor Gavin Newsom's office to plan the January 10, hearing. Chair Saliba-Malouf is confident that the hearing is well put together and will be well attended. The January 10 hearing is a special meeting, in place on the HRC regular meeting. The hearing will be held in Legislative Chambers, Room 250 of City Hall, along with a sub-committee of the Board of Supervisors. Chair Saliba-Malouf noted that Commissioner Baghdassarian was also in attendance at the last planning meeting with Supervisor Newsom, and hopes that the Issues Committee will have some involvement with this issue down the line.

REPORT OF THE DIRECTOR
Presentation of Report Regarding Human Rights Commission's Public Hearings on Escalating Violence in Communities of Color
Director Harmon was pleased to present the Commissioners with draft report of *Violence In Our City: Research and Recommendations to Empower Our Community.* This report encompassed input from the community and the town hall meetings that the HRC had held throughout the year regarding escalating violence. Director Harmon introduced Lome Aseron (HRC Staff), who presented the report. Mr. Aseron noted that it took courage and selflessness for community members to come forward and share their stories and concerns. He noted that the hearing bolstered and built trust between the community and the Human Rights Commission. The report begins an excellent opportunity for the HRC to fulfill its obligation to the community. Mr. Aseron then introduced Toni Delgado (HRC Staff) who outlined the implementation of the community recommendations.

Ms. Delgado presented the Commission with community recommendations and a timeline that HRC staff has created for implementation. The timeline encompasses recommendation in areas such as education, recreation, youth mentoring, economic development, media, city services, public health, and law enforcement. The time line also indicates specific tasks and dates for their completion. Some of the tasks, such as the Youth Services Guide, and the "What to Do When Stopped By the Police" brochure have already been completed. Ms. Delgado stated that these efforts will be a fully integrated citywide effort, working with many different City departments over the next few months. Ms. Delgado stated that different department heads will be asked to present to the Commission, current programs and additional needs that the HRC may assist with. Additionally, HRC Issues Committee, Employment Committee, and the Youth & Education Committee will be asked to assist in the implementation of these recommendations. Ms. Delgado asked the Commission to authorize HRC staff to move forward with the

implementation of the task list and added that HRC Staff will continue to update the Commission on progress and completion of these tasks.
Chair Saliba-Malouf congratulated HRC Staff on the production of the report and the proactive, focused recommendations task list. She added that she looks forward to implementation the recommendations from the report.

Vice-Chair Lee commended the Director and HRC for their hard work.

Commissioner Sparks also congratulated the HRC Staff for their commitment and group dedication to this issue. Commissioner Sparks stated that this report has reestablished the value of the HRC to the community as a whole, as well as the value of our rapport with the Mayor's Office and other city departments.

Commissioner Sparks then moved the action item to adopt the report as a whole and to begin implementation of all items on the task list.

Commissioner Knutzen stated that she especially appreciated the task list and enjoyed the report. She stressed the importance of working with the different community groups and then seconded the motion.

The report was adopted and Commission authorized the implementation of all items on the task list unanimously.

* * *

Director Harmon recognized audience member, Milyon Hyams, the Director of the San Francisco Department of Child Support. Mr. Hyams has assisted members of HRC Staff with gathering information. Mr. Hyams stated that the Department of Child Support is a relatively new department, a spin of from the District Attorney's Office, and brought some brochures regarding child support. Mr. Hyams stated that he wanted all City departments to know that the Department of Child Support exists and is available, and added that he looks forward to working with the HRC.

AUTHORIZE COMMISSION TO ISSUE SUBPOENAS TO NORCAL CONTRACTOR COUNSELING FOR INFORMATION AND DOCUMENTS RELATING TO PEAK ENGINEERING, MAHENDRAH SHAH, AND STEVE NAVARRO PURSUANT SAN FRANCISCO CHARTER SECTION 4.107 AND ADMINISTRATIVE CODE 12D.A.6.(A)(3).
Deputy City Attorney Cathy Barnes stated that the appropriate way for the Commission to obtain documents held by a third party is by issuing the above-mentioned subpoenas. Ms. Barnes stated that this is a routine subpoena.

The Commission authorized the issuance above-mentioned subpoenas, moved (Lee), seconded (Knutzen), and approved (unanimously).

HRC DIVISION REPORTS

Lesbian, Gay, Bisexual, Transgendered, HIV Division:

Report on the Gender Talk Forum

Tamra Winchester (HRC Staff), presented the Commission with a report on the Gender Talk Forum, an event that the HRC Lesbian/Gay/Bisexual/Transgendered/HIV Division put on last month. Ms. Winchester's testimony is attached to these minutes as Appendix A.

Commissioner Knutzen noted that the Gender Talk Forum created a model for having these discussions around intergroup tensions. Commissioner Knutzen thanked Ms. Winchester and Jill Tregor of Intergroup Clearinghouse for their work on this forum.

Employment, Housing and Public Accommodations Division:

Report on Bilingual / Bicultural Client Services

Frank Anderson (HRC Staff) stated the HRC has implemented program and staffing enhancements. Mr. Anderson stated that when the housing market in San Francisco became tight, the need for bilingual/bicultural services became evident. Many non- or limited- English speaking residents became discrimination victims of the strong market. At that point, the HRC would not immediately have the facility to communicate with them. Mr. Anderson stated that the HRC has now created a bilingual/bicultural unit consisting of Emil deGuzman, who speaks Tagalog; Carolyn Hom, who speaks Chinese/Cantonese, and Carmen Herrera, who speaks Spanish. Mr. Anderson is proud to provide this service to the public.

Chair Saliba-Malouf asked Mr. Anderson if the HRC received complaints from Arab speaking residents, and if so, she volunteered to translate or put him in touch with others who can translate as well.

Report on San Francisco Administrative Code 12.K. Local Implementation of the United Nation's Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW)

Carmen Herrera (HRC Staff) stated that the HRC's CEDAW Task Force met on November 28 and the Task Force discussed other statewide municipalities that are adopting an ordinance similar to the San Francisco CEDAW Ordinance. Ms. Herrera noted that Santa Clara County is working on adopting and implementing a similar ordinance. Additionally, the state of California is discussing adopting a CEDAW Ordinance. Ms. Herrera stated that the staff from the Department on the Status of Women will be presenting a progress report to the Mayor, the Board of Supervisors, and the Commission on the Status of Women, regarding the gender analysis of the different city Department. The CEDAW Task Force is also creating a progress work plan for the year 2002 and hopes to submit the work plan to the Commission shortly.

Commissioner Baghdassarian asked if the Commission can or should contact our Federal representatives to support the senate ratification of CEDAW. Director Harmon noted that

the Commission could not take action as it was not on the agenda as an action item, but added that Ms. Herrera will be bringing such supporting items at future meetings. Ms. Herrera noted that the senate is just barely beginning to discuss this item, but will continue to update the Commission on the status of this issue at the Senate.

Commissioner Knutzen stated that now is a good time to lobby this issue and expressed her support for this item.

MBE/WBE/LBE Division:
Discussion of Chapter 12.D.A. December 1, 2001 Quarterly Report
Roel Villacarlos (HRC Staff) provided the Commission with a summary of the Quarterly Report (herein attached as Appendix B). Mr. Villacarlos stated that the eighty city departments have contributed to the contracting numbers contained in this report, of those departments, forty-nine were identified as having errors in their reporting of their contracting data. The M/W/LBE Advisory Committee then generated a letter to those forty-nine department heads and twenty of those responded positively. The following departments greatly impacted our data by reducing errors in their diversity tracking input, the Airport Commission, the Board of Supervisors, Child Support Services, the Commission of the Status of Women, the Department of Public Works, the District Attorney's Office, Parking and Traffic Commission, the Police Commission, the Port, the Public Library, Retirement Services, the Sheriff's office, and Social Services. The M/W/LBE is still receiving corrections from the other departments that entered erroneous data. Mr. Villacarlos stated that through the assistance of the M/W/LBE Advisory Committees, as well as the Commission, we are able to generate a more accurate report. Mr. Villacarlos suggested that HRC Staff send out letters to all department, alerting them to the extract date from the diversity tracking system, so as to ensure timely and proper reporting.

Chapter 12.D.A. Waiver Report for November
James Fields (HRC Staff) provided the Waiver Report for November. Director Harmon noted that the Waiver Report is presented in a different format and is open to suggestion for additional information to be included in the report. The Director thanked James Fields and Melinda Wesley of HRC staff for preparing this report.

Commissioner Baghdassarian thanked the Director for the new format, stating that is much more clear to understand.

COMMITTEE REPORTS
Lesbian Gay Bisexual Transgender Advisory Committee
Report of November 21, 2001 Committee Meeting
Commissioner Knutzen stated that the LGBTAC focused on better access to health care, allowing the LGBT community to live better and healthier lives. The Department of Public Health presented the Committee with current programs, including improvements to the Tom Wydell Center, new initiatives providing complete and sensitive health programs to LGBT youth, and the LGBTQQY center in the Castro. Additionally, Healthy People 2010, a

federal program, presented the ways they plan to meet the needs of the health disparities in various racial and ethnic minorities in the national community.

Request Commission to appoint Jamison Green to the Transgender Civil Rights Implementation Task Force

Larry Brinkin (HRC Staff) informed the Commission that the Transgender Civil Rights Implementation Task Force was created by the Board of Supervisors. The HRC is responsible for appointing three members to the Task Force. At this point, Commissioner Sparks stated that the HRC has appointed two members, and the approval of Jamison Green would be our final third appointment. The appointment of Jamison Green to the Transgender Civil Rights Implementation Task Force was moved (Sparks), seconded (Knutzen), and approved (unanimously).

Commissioner Knutzen added that the Economic Empowerment Task Force of the LGBTAC met on Tuesday and they are happy to see recommendations from the economic empowerment meeting being implemented.

Employment Committee

Report of December 6, 2001 Committee Meeting

Mary Gin Starkweather (HRC Staff), reported to the Commission that the Committee heard a presentation on the impact of the September 11, 2001 tragedy, and it's impact on members of two local unions. The Hotel and Restaurant Employees Local 2 representative spoke about the decline in tourism, which has resulted in the loss of hours, benefits, et cetera, for union members. Additionally, the Service Employees International Union Local 790, spoke about the integration of Federal airport security personnel and its impact on current baggage handlers and staff workers who are primarily non-citizens. Ms. Starkweather stated that the January 3, 2002 meeting of the Employment Committee has been canceled and the next meeting will be held on February 7, 2002.

Vice-Chair Lee stated that the hotel industry has laid of over 3,000 employees, most of whom are claiming unemployment benefits. As of January, 2002, unemployment benefits will increase $120 per week. As unemployment benefits are running out, Vice-Chair Lee suggested that the Committee draft a letter to Gov. Grey Davis for the Commission's approval seeking to retroactively implement the $120 per week increase to September for those who have lost their jobs as a result of the September 11 tragedy.

Commissioner Sparks supported Vice-Chair Lee's proposal and stated that the September 11 tragedy has also had a negative financial impact on the retail industry.

Commissioner Knutzen asked if there was a way we could donate a contribution from our "Friends of the HRC" account to Union Local 2. She also suggested that the Commissioners may want to donate personal money to this cause.

Issues Committee

Report of the November 14, 2001 Committee Meeting & Report of the December 12, 2001 Committee Meeting

Commissioner Haig Baghdassarian stated that the Committee has identified four areas that they would like to focus on in the upcoming year: racial profiling, civil liberty issues related to September 11, housing discrimination issues related to San Francisco ordinance 123-93, and law enforcement issues surrounding humane treatment of homeless and prisoners in San Francisco County Jails. Commissioner Baghdassarian stated that the Committee postponed their January 9 hearing regarding civil liberties issues surrounding September 11, because the full Commission and Board of Supervisors was holding a similar hearing on January 10. The Committee will hold their hearing on January 22, 2002.

Commissioner Baghdassarian stated that the Racial Profiling Task Force of the Committee has met three times and is focusing on post-September 11 racial profiling, as well as problems that existed before September 11.

Commissioner Baghdassarian spoke about the issue of Medical Marijuana. He distributed a copy of a resolution passed by the Board of Supervisors, declaring San Francisco as a sanctuary for medical cannabis. Commissioner Baghdassarian stated that the Committee requests that the Commission support the steps already taken by the Board of Supervisors. Commissioner Baghdassarian stated that the committee will continue to work on this item and will update the Commission in the future.

MBE/WBE/LBE Advisory Committee
No report.

Youth and Education Committee
Report of the December 5, 2001 Committee Meeting
Commissioner Dimapilis stated that the Committee discussed how members of the Board of Education could know what was going on in the schools. The committee discussed reports to the Board, as well as the possibility of shadowing a teacher or principal. The idea was to give Board members first hand knowledge. Commissioner Dimapilis also stated that the committee was still trying to recruit members for the committee so there would be a broad spectrum of people representative of the community.

Commissioner Dimapilis also added that the January 10 meeting of the Youth & Education committee is canceled in observance of the New Year holiday.

COMMISSIONER DISCUSSION OF MATTERS OF INTEREST FOR POSSIBLE INCLUSION OF FUTURE AGENDA ITEMS
There were no items.

ADJOURNMENT
The meeting was adjourned at 6:07 p.m.

NEXT MEETING

Special Meeting: Joint hearing between the Board of Supervisors and the Human Rights Commission: *Backlash, Violence, Human Rights Violations & Discrimination in San Francisco in the wake of September 11, 2001.*

DATE: January 10, 2002

TIME: 5:00 P.M.

PLACE: 1 Dr. Carlton B. Goodlett Place
Room 250
San Francisco, CA 94102

Respectfully submitted,

Virginia Harmon
Interim Director

By: Toni A. Delgado
Commission Secretary

APPENDIX A - *Referenced on page 5*

Oral Report to the Human Rights Commission
Tamra Winchester, Discrimination Investigator and Contract Compliance Officer
December 13, 2001

Good evening Commissioners. I'd like to tell you about a very successful event that we sponsored last month.

As more San Franciscans have become aware of transgender people, many butch (or masculine) lesbians and female-to-male transgender people in our city have felt tension between their respective communities.

This tension also appears elsewhere in the United States where transgender people have risked their safety to defend themselves and other transgender citizens.

The conflict seems centered around the question of what defines female and male, and femininity and masculinity. The question often arises when a person who is determined to be female at birth begins to express themselves according to their understanding that they are male. At what point are they regarded as male?

As confusing as it can be for the person experiencing the transition, it seems also to concern others and perhaps butch lesbians more than anyone.

This may stem from the perception made by both lesbians and straight people that all transgendered men were previously butch lesbians. This is untrue and causes misunderstandings not only with transgender men who formerly identified as straight women, but also with transgender men who don't agree with how their butch lesbian-to-male transition is characterized.

In examining this issue, we have learned that many butch lesbians have been told all of their lives that they weren't feminine enough because they didn't conform to strict female/male gender role expectations. Now they feel that they are still being shoe-horned into narrow roles by female-to-male transgendered people.

These butch lesbians may have already been asked over and over by the straight community if they are "the boy" in their relationships with femme lesbians. Now here again, but this time by female-to-male transgender men, they feel regarded as fence-sitters held to a binary gender code. They may often wonder why people whom they think should know better view their behavior as being "the boy" rather than correcting the definition of feminine behavior.

It is in this context that a concern arose among butch lesbians that their community was becoming smaller and that people they had counted on for support in their gender variance were abandoning the lesbian community and its interests.

Female-to-male transgender people were viewed with some suspicion by some butch lesbians because they had acquired access to male privilege and might therefore become

APPENDIX A - *Referenced on page 5*

less committed to advancing the political power of women.

Female-to-male transgender people, conversely, have often felt betrayed by butch lesbians who have been unsupportive of transition and withdrawn their friendship. Transgender men routinely encounter hostility in lesbian social and political settings, and are often viewed as straight male outsiders by lesbians. They no longer feel welcome at events or by groups that they enjoyed while living as a butch lesbian.

Transgender men who formerly identified as straight women might be presumed to have knowledge of lesbian experiences. These transgender men may be viewed as twice as suspect because not only are they transgender, but they don't even fit the sketchy stereotype of a transgender person.

The incorrect assumption that all transgendered men formerly lived as butch lesbians also contributes to confusion about the difference between male and masculine, female and feminine, and gender and sexual orientation. But it should be remembered that not all men are masculine, not all women are feminine, not all people who act outside of their perceived gender role are homosexual or bisexual, and that people who act within their perceived gender role are not necessarily heterosexual.

There are other groups who are affected by the friction between transgender men and butch lesbians, but they are rarely included in discussions of it.

Femme lesbians may be drawn into this conflict when their butch lesbian partner realizes that they are male and begins to transition. They become aware that if they stay with their partner, they will be viewed as heterosexual and may be pressured to stop identifying as a lesbian. This may result in losing friends and access to lesbian environments. If they leave their partner they lose a primary relationship. It's a terrible choice to make.

Genderqueers are another group that hasn't been heard from in discussions between transgender men and butch lesbians. Genderqueers encompass a wide and varied representation of gender. They have in common that they consciously reject the binary gender code. This unwillingness to be defined as either male or female frustrates those who base alliance on sexual orientation. Rather then existing on a spectrum between male and female behavior, genderqueers remove the continuum and exist as individual combinations of gender and sexual identification. Genderqueers may often feel at odds with lesbians, gays, bisexuals, and transgendered people, or may identify at times with any of these groups.

Earlier this year there was an increase in anxiety among butch lesbians when a well known and well loved local butch lesbian began to transition to male. The Lesbian Gay Bisexual Transgender HIV Division of the Human Rights Commission recognizes our mandate to reduce intergroup tensions among sexual minorities. We knew that this problem has been addressed before and has repeatedly ended in tears and anger. We understand that participants might not feel safe discussing the topic, but we wanted to try to create an environment where it felt as safe as possible to discuss concerns and differences when they

APPENDIX A - *Referenced on page 5*

came up.

The format for the discussion was designed to promote a sense of safety and community. We selected a group of thirteen scheduled speakers who come from a great cross-section of our communities - lesbian, gay and heterosexual people; people of color; male, female transgendered and ungendered people; actors and poets, and white collar and blue collar and poor people. People who work for community-based organizations and the City and insurance companies and schools were there. The leather community was represented. Activists were represented. These people would be visible reminders of the diversity of the queer community and take responsibility for starting the conversation and moving it along.

The event, called GenderTalk, took place at the Public Library on November 3. One of the best decisions we made was to ask Jill Tregor of Intergroup Clearinghouse and the Human Rights Commission Issues Committee to moderate the discussion. Jill has the strength to focus a large, possibly contentious group and she has worked on this problem before. The evaluations we got from the attendees indicate that she was very effective and very much appreciated.

The discussion went even better than we could have hoped for. About 100 people attended. They were great. They came ready to talk and listen and learn from each other. The discussion was very constructive. To allow as many people to speak as possible, participants raised their hands to be called on, though they didn't necessarily respond to what the previous speaker had talked about and there wasn't cross-talking. That was both a good thing and a bad thing - many people spoke but we weren't able to go into any issue very deeply. But I think that in a future discussion we can take a focused look at some of the issues and give them the attention that they deserve.

We are happy to have met our expectation that this would help ease intergroup tensions. We established a great precedent for having this discussion occur in a principled and thoughtful way.

We were thinking of having a second discussion while we were planning the first one so that the participants would know that we were committed to following through on this. They wouldn't be asked to come in, tell everyone their deepest fear, and then leave.

In the participant evaluations we heard a strong interest in having smaller break-out groups in the future and so we'll try to work that in next time.

We're organizing another GenderTalk for April 2002. And when we do we'll have to recognize that these discussions are a social opportunity too: there's already been a posting on Craig's List from one of the femmes who attended who is trying to meet one of the handsome butch lesbians who attended! I'm not sure if anything came out of it - maybe we'll find out at the next GenderTalk.

APPENDIX B - *Referenced on page 6*

City and County of San Francisco

Willie Lewis Brown, Jr.
Mayor

Human Rights Commission

Contract Compliance
Dispute Resolution/Fair Housing
Minority/Women/Local Business Enterprise
Lesbian Gay Bisexual Transgender & HIV Discrimination

Virginia M. Harmon
Interim Director

SUMMARY OF QUARTERLY REPORT ISSUED DECEMBER 1, 2001

All City and County of San Francisco (City) departments are required to enter contract data into the Diversity Tracking System (System). The System provides detailed information and financial summaries of contracts awarded by the City which allows it to track each departments' progress toward meeting the City's mandate to cure past discrimination in its contracting practices under Chapter 12.DA of the San Francisco Administrative Code. The Human Rights Commission (HRC) is responsible for gathering the information entered by the departments and reporting them via quarterly reports.

The Mayor's MBE/WBE participation goals for fiscal year 2000-2001 were used to gauge departmental performance towards utilizing local firms. For all dollars awarded by all city departments combined their performance by percentages for MBE and WBE firms, respectively, are as follows: Architecture and Engineering: 29.71% and 20.94%; Construction: 33%and 11%; Professional Services 14% and 12%; Telecommunications: 15% and 10%; and Purchasing: 11% and 9%.

Generally, encumbrances have remained constant since the previous quarterly report indicating that departments need to input contracting information on a consistent basis. Encumbrances will decrease reflecting complete information on their contracts.

This report includes an analysis of closed contracts[1] for nine major contracting departments (Airport, DPW, Human Resources, DPT, PUC, Purchasing, Retirement Services, Telecommunications & Information). This information allows the City to analyze whether or not, on a contract-by-contract basis, the prime contractor met the MBE/WBE subcontracting goals (See Supplemental Report). Furthermore, the analysis of closed contracts can show if the awards and payments were properly allocated which gives a more accurate picture of the actual dollars received by MBEs/WBEs.

Analysis of all departmental contract award data for MBE/WBE firms as prime contractors and subcontractors determines a continued need for the 12D.A program to provide opportunities for local firms.

Departments in general have improved in entering accurate and complete data. Recently, departments responded with full cooperation to the Human Rights Commission to complete data entry before the deadline for this extract data. The result was overwhelming and sweeping. There are millions more dollars accounted for and properly allocated giving a more accurate picture of departments involvement and commitment to this program. Not withstanding, DTIS and HRC have continually encouraged consistent data entry into the System to improve the accuracy and completeness of all reports.

25 Van Ness Avenue
Suite 800
San Francisco
California 94102-6033

TEL (415) 252-2500
FAX (415) 431-5764
TDD (415) 252-2550
www.ci.sf.ca.us/sfhumanrights

[1] "Closed Contracts" are contracts identified by the Department as having no further economic activity.